XEROX

Xerox University Microfilms
Ann Arbor, Michigan 48106

WESTERN AMERICANA

Reproduced from the original in the collection of
THE HENRY E. HUNTINGTON LIBRARY AND ART GALLERY

Review of latest edn
in Amherst Rev Apr 1902

ADVERTISEMENT.

[Bulletin No. 13.]

See 3rd Edn 1904 Bull 226

The publications of the United States Geological Survey are issued in accordance with the statute, approved March 3, 1879, which declares that—

"The publications of the Geological Survey shall consist of the annual report of operations, geological and economic maps illustrating the resources and classification of the lands, and reports upon general and economic geology and paleontology. The annual report of operations of the Geological Survey shall accompany the annual report of the Secretary of the Interior. All special memoirs and reports of said Survey shall be issued in uniform quarto series if deemed necessary by the Director, but otherwise in ordinary octavos. Three thousand copies of each shall be published for scientific exchanges and for sale at the price of publication; and all literary and cartographic materials received in exchange shall be the property of the United States and form a part of the library of the organization: And the money resulting from the sale of such publications shall be covered into the Treasury of the United States."

On July 7, 1882, the following joint resolution, referring to all Government publications, was passed by Congress:

"That whenever any document or report shall be ordered printed by Congress, there shall be printed in addition to the number in each case stated, the 'usual number' (1,900) of copies for binding and distribution among those entitled to receive them."

Under these general laws it will be seen that none of the Survey publications are furnished to it for gratuitous distribution. The 3,000 copies of the Annual Report are distributed through the document rooms of Congress. The 1,900 copies of each of the publications are distributed to the officers of the legislative and executive departments and to stated depositories throughout the United States.

Except, therefore, in those cases where an extra number of any publication is supplied to this office by special resolution of Congress, as has been done in the case of the Second, Third, Fourth, and Fifth Annual Reports, or where a number has been ordered for its use by the Secretary of the Interior, as in the case of Mineral Resources and Dictionary of Altitudes, the Survey has no copies of any of its publications for gratuitous distribution.

ANNUAL REPORTS

Of the Annual Reports there have been already published:

I. First Annual Report to the Hon. Carl Schurz, by Clarence King. 1880. 8°. 79 pp. 1 map.—A preliminary report describing plan of organization and publications.

II. Report of the Director of the United States Geological Survey for 1880-'81, by J. W. Powell. 1882. 8°. lv, 588 pp. 61 pl. 1 map.

III. Third Annual Report of the United States Geological Survey, 1881-'82, by J. W. Powell. 1883. 8°. xviii, 564 pp. 67 pl. and maps.

IV. Fourth Annual Report of the United States Geological Survey, 1882-'83, by J. W. Powell. 1884. 8°. xii, 473 pp. 85 pl. and maps.

The Fifth Annual Report is in press.

MONOGRAPHS

So far as already determined upon, the list of the Monographs is as follows:

I. The Precious Metals, by Clarence King. In preparation.

II. Tertiary History of the Grand Cañon District, with atlas, by Capt. C. E. Dutton. Published.

III. Geology of the Comstock Lode and Washoe District, with atlas, by George F. Becker. Published.

IV. Comstock Mining and Miners, by Eliot Lord. Published.

V. Copper-bearing Rocks of Lake Superior, by Prof. R. D. Irving. Published.

VI. Older Mesozoic Flora of Virginia, by Prof. William M. Fontaine. Published.

VII. Silver-lead Deposits of Eureka, Nevada, by Joseph S. Curtis. Published.

VIII. Paleontology of the Eureka District, Nevada, by Charles D. Walcott. In press.

IX. Brachiopoda and Lamellibranchiata of the Raritan Clays and Greens and Marls of New Jersey, by R. P. Whitfield. In press.

ADVERTISEMENT.

Geology and Mining Industry of Leadville, with atlas, by S. F. Emmons. In preparation.
Geology of the Eureka Mining District, Nevada, with atlas, by Arnold Hague. In preparation.
Lake Bonneville, by G. K. Gilbert. In preparation.
Dinocerata. A Monograph on an extinct order of Ungulates, by Prof. O. C. Marsh. In preparation.
Sauropoda, by Prof. O. C. Marsh. In preparation.
Stegosauria, by Prof. O. C. Marsh. In preparation.

Of these Monographs, Nos. II, III, IV, V, VI, and VII are now published, viz:

II. Tertiary History of the Grand Cañon District, with atlas, by C. E. Dutton, Capt., U. S. A. 1882. 4°. 264 pp. 42 pl. and atlas of 23 double sheets folio. Price $10.12.

III. Geology of the Comstock Lode and Washoe District, with atlas, by G. F. Becker. 1882. 4°. xv, 422 pp. 7 pl. and atlas of 21 sheets folio. Price $11.

IV. Comstock Mining and Miners, by Eliot Lord. 1883. 4°. xiv, 451 pp. 3 pl. Price $1.50.

V. Copper-bearing Rocks of Lake Superior, by Prof. R. D. Irving. 1883. 4°. xvi, 464 pp. 29 pl. Price $1.85.

VI. Contributions to the Knowledge of the Older Mesozoic Flora of Virginia, by William M. Fontaine. 1883. 4°. xi, 144 pp. 54 l. 54 pl. Price $1.05.

VII. Silver-lead Deposits of Eureka, Nevada, by Joseph S. Curtis. 1884. 4°. xiii, 200 pp. 16 pl. Price $1.20.

Nos. VIII and IX are in press and will soon appear. The others, to which numbers are not assigned, are in preparation.

BULLETINS.

The Bulletins of the Survey will contain such papers relating to the general purpose of its work as do not properly come under the heads of ANNUAL REPORTS or MONOGRAPHS.

Each of these Bulletins will contain but one paper and will be complete in itself. They will, however, be numbered in a continuous series, and will in time be united into volumes of convenient size. To facilitate this each Bulletin will have two paginations, one proper to itself and another which belongs to it as part of the volume.

Of this series of Bulletins, Nos. 1 to 13 are already published, viz:

1. On Hypersthene-Andesite and on Triclinic Pyroxene in Augitic Rocks, by Whitman Cross, with a Geological Sketch of Buffalo Peaks, Colorado, by S. F. Emmons. 1883. 8°. 42 pp. 2 pl. Price 10 cents.

2. Gold and Silver Conversion Tables, giving the coining value of Troy ounces of fine metal, &c., by Albert Williams, jr. 1883. 8°. ii, 8 pp. Price 5 cents.

3. On the Fossil Faunas of the Upper Devonian, along the meridian of 76° 30′, from Tompkins County, New York, to Bradford County, Pennsylvania, by Henry S. Williams. 1884. 8°. 36 pp. Price 5 cents.

4. On Mesozoic Fossils, by Charles A. White. 1884. 8°. 36 pp. 9 pl. Price 5 cents.

5. A Dictionary of Altitudes in the United States, compiled by Henry Gannett. 1884. 8°. 325 pp. Price 20 cents.

6. Elevations in the Dominion of Canada, by J. W. Spencer. 1884. 8°. 43 pp. Price 5 cents.

7. Mapoteca Geologica Americana. A catalogue of geological maps of America (North and South), 1752–1881, by Jules Marcou and John Belknap Marcou. 1884. 8°. 184 pp. Price 10 cents.

8. On Secondary Enlargements of Mineral Fragments in Certain Rocks, by R. D. Irving and C. R. Vanhise. 1884. 8°. 56 pp. Price 10 cents.

9. A Report of the Work Done in the Washington Laboratory during the fiscal year 1883–'84. F. W. Clarke, chief chemist; T. M. Chatard, assistant. 1884. 8°. 40 pp. Price 5 cents.

10. On the Cambrian Faunas of North America. Preliminary studies by Charles Doolittle Walcott. 1884. 8°. 74 pp. Price 5 cents.

11. On the Quaternary and Recent Mollusca of the Great Basin; with Descriptions of New Forms, by R. Ellsworth Call; introduced by a sketch of the Quaternary Lakes of the Great Basin, by G. K. Gilbert. 1884. 8°. 66 pp. Price 5 cents.

12. A Crystallographic Study of the Thinolite of Lake Lahontan, by Edward S. Dana. 1884. 8°. 34 pp. Price 5 cents.

13. Boundaries of the United States and of the several States and Territories, with a historical sketch of the territorial changes, by Henry Gannett. 1885. 8°. 135 pp. Price 10 cents.

STATISTICAL PAPERS.

A fourth series of publications having special reference to the mineral resources of the United States is contemplated. Of that series the first has been published, viz: Mineral Resources of the United States, by Albert Williams, jr. 1883. 8°. xvii, 813 pp. Price 50 cents.

The second volume of this series, Mineral Statistics 1883 and 1884, is in preparation and will soon be put to press.

Correspondence relating to the publications of the Survey, and all remittances, which must be by postal note or money order, should be addressed to the

DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY,
Washington, D. C.

WASHINGTON, D. C., *January* 15, 1885.

Fred J. Turner

DEPARTMENT OF THE INTERIOR

BULLETIN

OF THE

UNITED STATES

GEOLOGICAL SURVEY

No. 13

WASHINGTON
GOVERNMENT PRINTING OFFICE
1885

UNITED STATES GEOLOGICAL SURVEY
J. W. POWELL DIRECTOR

BOUNDARIES
OF
THE UNITED STATES
AND OF THE
SEVERAL STATES AND TERRITORIES
WITH A
HISTORICAL SKETCH OF THE TERRITORIAL CHANGES

BY

HENRY GANNETT
CHIEF GEOGRAPHER

WASHINGTON
GOVERNMENT PRINTING OFFICE
1885

LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
UNITED STATES GEOLOGICAL SURVEY,
Washington, D. C., October 16, 1884.

SIR: I have the honor to submit herewith a sketch of the boundaries of the United States, the several States, and the Territories, as defined by treaty, charter, or statute.

Besides giving the present status of these boundaries, I have endeavored to present an outline of the history of all important changes of territory, with the laws appertaining thereto.

This matter was in great part prepared under the direction of the Superintendent of the Census, and it is herewith presented for publication with his full concurrence.

I have been greatly assisted in this work by Mr. Franklin G. Butterfield, who was formerly connected with the Census Office, by whose labors most of the material relating to the boundaries of the States upon the Atlantic borders has been compiled.

Very respectfully, yours,

HENRY GANNETT,
Chief Geographer.

HON. J. W. POWELL,
Director.

CONTENTS.

Page.
Letter of transmittal 5
CHAPTER I.—Boundaries of the United States, and additions to its territory 9
  Boundaries of the United States 9
  Additions to the territory of the United States 19
    Louisiana purchase 19
    Florida 21
    Texas 21
    First Mexican Cession 22
    Gadsden Purchase 22
    Alaska 23
CHAPTER II.—The Public Domain and an outline of the history of the changes made therein 24
  Cessions by the States 24
  Territory northwest of the River Ohio 27
  Territory south of the River Ohio 29
  Louisiana and the territory acquired from Mexico 30
CHAPTER III.—Boundary lines of the States and Territories 32
  Maine 32
  New Hampshire 40
  Vermont 45
  Massachusetts 47
  Rhode Island 65
  Connecticut 66
  New York 71
  New Jersey 76
  Pennsylvania 78
  Delaware 80
  Maryland 82
  District of Columbia 85
  Virginia 88
  West Virginia 92
  North Carolina 92
  South Carolina 96
  Georgia 97
  Florida 101
  Alabama 102
  Mississippi 103
  Louisiana 104
  Texas 105
  Arkansas 106
  Tennessee 108
  Kentucky 109

Page

CHAPTER III.—Boundary lines of the States and Territories—Continued.

Ohio 110
Indiana 111
Illinois 112
Michigan 113
Wisconsin 114
Missouri 116
Iowa 117
Minnesota 118
Kansas 119
Nebraska 120
Dakota 121
Montana 122
Wyoming 123
Colorado 123
New Mexico 123
Utah 124
Arizona 125
Nevada 125
Idaho 127
Oregon 128
Washington 128
California 129

CHAPTER I.

BOUNDARIES OF THE UNITED STATES, AND ADDITIONS TO ITS TERRITORY.

BOUNDARIES OF THE UNITED STATES.

The limits of the United States were first definitely laid down in the provisional treaty made with Great Britain in 1782. The second article of that treaty defines the boundary between the United States on the one hand and the British Possessions on the other, as follows:

From the northwest angle of Nova Scotia, viz, that angle which is formed by a line drawn due north from the source of St. Croix river to the highlands; along the Highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude until it strikes the river Iroquois or Cataraquy (St. Lawrence); thence along the middle of said river into Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royal and Phelippeaux to the Long Lake; thence through the middle of said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwestern point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the Equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River; thence strait to the head of St. Mary's River; and thence down along the middle of St. Mary's River to the Atlantic Ocean. East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic Ocean; excepting such islands as now are, or heretofore have been within the limits of the said province of Nova Scotia.

The boundary between the United States and the Spanish Possessions, known as the Floridas, is reaffirmed in the treaty between the United States and Spain, made in 1795, in the following terms:

> The southern boundary of the United States, which divides their territory from the Spanish colonies of East and West Florida, shall be designated by a line beginning on the river Mississippi, at the northernmost part of the thirty-first degree of latitude north of the equator, which from thence shall be drawn due east to the middle of the river Apalachicola or Catahouche, thence along the middle thereof to its junction with the Flint; thence straight to the head of St. Mary's River, and thence down the middle thereof to the Atlantic Ocean.

The definitive treaty of peace with Great Britain, concluded September 3, 1783, defines the boundaries of the United States in terms similar to those of the provisional treaty.

The northern boundary became at once a fruitful source of dissension between the two countries. From the time of the conclusion of peace almost up to the present day this line has been the subject of a series of treaties, commissions, and surveys for the purpose of interpreting its terms.

The following is in outline a history of the settlement of this boundary:

The fourth article of the treaty of London, signed November 19, 1794, provided that—

> Whereas it is uncertain whether the river Mississippi extends so far to the northward as to be intersected by a line to be drawn due west from the Lake of the Woods in the manner mentioned in the treaty of peace between His Majesty and the United States, etc., the two parties will proceed by amicable negotiation to regulate the boundary line in that quarter.

This matter was not settled, however, until 1818.

The fifth article of the same treaty makes provision for settling another doubtful point, as follows:

> Whereas doubts have arisen what river was truly intended under the name of the river St. Croix mentioned in the said treaty of peace, and forming a part of the boundary therein described, that question shall be referred to the final decision of commissions to be appointed in the following manner, viz.

Here follow provisions that His Majesty and the President of the United States should each appoint a commissioner, and that these two commissioners should agree on a third, or, they failing to agree on the third, he was to chosen by lot in their presence.

Which was the true St. Croix River had been a matter of controversy between the governments of Massachusetts and Nova Scotia since the year 1764.

The commissioners appointed under the foregoing provisions decided, on the 25th October, 1798, the river called Schoodiac and the northern branch thereof (called Cheputnaticook) to be the true river St. Croix, and that its source was at the northernmost headspring of the northern branch aforesaid. A monument was erected at that spot under the direction of the commissioners. (See Memoirs of Northeastern Boundary, Gallatin, pages 7, 8.)

By the treaty of peace concluded at Ghent, December 24, 1814, it was agreed to provide for a final adjustment of the boundaries described in the treaty of 1783, which had not yet been ascertained and determined, embracing certain islands in the Bay of Fundy and the whole of the boundary line from the source of the river St Croix to the most northwestern point of the Lake of the Woods.

By article 4 provision was made for a board of commissioners to settle the title to several islands in the Bay of Passamaquoddy, which is a part of the Bay of Fundy, and the island of Grand Menan in the said Bay of Fundy.

The fifth article made provision for a board of commissioners to settle the boundary from the source of the river St. Croix northward to the highland which divides those waters that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, thence along said highlands to the northwesternmost head of Connecticut River, thence down along the middle of that river to the forty-fifth degree of north latitude, thence due west on said latitude until it strikes the river Iroquois or Cataraquy (St. Lawrence).

The sixth and seventh articles provided for commissioners to continue the line to the northwestern point of the Lake of the Woods.

(For further details see treaty, Statutes at Large, vol. 8, pages 220-2.)

It was provided by this treaty that in case any of the boards of commissioners were unable to agree, they should make separately or jointly a report or reports to their respective Governments stating the points on which they differed, the grounds on which they based their respective opinions, etc.

These reports were to be referred to some friendly sovereign or state for arbitration.

The first and third boards of commissioners above mentioned came to an agreement, and those portions of the boundary were thus finally settled; but the commission appointed under the fifth article, after sitting nearly five years, could not agree on any of the matters referred to them, nor even on a general map of the country exhibiting the boundaries respectively claimed by each party. They accordingly made separate reports to their Governments, stating the points on which they differed and the grounds upon which their respective opinions had been formed.

The first of these commissions awarded Moore, Dudley, and Frederick Islands to the United States, and all other islands in the Passamaquoddy Bay, and the island of Grand Menan, to Great Britain.

The following is the text of the report of the third of these commissions which had under consideration that portion of the northern boundary between the point where the forty-fifth parallel of north latitude strikes the St. Lawrence and the point where the boundary reaches Lake Superior:

Decision of the commissioners under the sixth article of the treaty of Ghent, done at Utica, in the State of New York, 18th June, 1822.

We do decide and declare that the following-described line (which is more clearly indicated on a series of maps accompanying this report, exhibiting correct surveys and delineations of all the rivers, lakes, water communications, and islands embraced by the sixth article of the treaty of Ghent, by a black line shaded on the British side with red and on the American side with blue; and each sheet of which series of maps is identified by a certificate, subscribed by the commissioners, and by the two principal surveyors employed by them) is the true boundary intended by the two before-mentioned treaties, that is to say:

Beginning at a stone monument, erected by Andrew Ellicott, esq., in the year 1817, on the south bank or shore of the said river Iroquois, or Cataraqui (now called the St. Lawrence), which monument bears south 74° 45' west, and is 1,840 yards distant from the stone church in the Indian village of St. Regis, and indicates the point at which the forty-fifth parallel of north latitude strikes the said river; thence running north 35° 45' west into the river, on a line at right angles with the southern shore, to a point 100 yards south of the opposite island, called Cornwall Island; thence turning westerly and passing around the southern and western sides of said island, keeping 100 yards distant therefrom, and following the curvatures of its shores, to a point opposite to the northwest corner or angle of said island; thence to and along the middle of the main river until it approaches the eastern extremity of Barnhart's Island; thence northerly along the channel which divides the last-mentioned island from the Canada shore, keeping 100 yards distant from the island, until it approaches Sheik's Island; thence along the middle of the strait which divides Barnhart's and Sheik's Islands to the channel called the Long Sault, which separates the two last-mentioned islands from the lower Long Sault Island; thence westerly (crossing the center of the last-mentioned channel) until it approaches within 100 yards of the north shore of the Lower Sault Island; thence up the north branch of the river, keeping to the north of and near the Lower Sault Island, and also north of and near the Upper Sault, sometimes called Baxter's Island, and south of the two small islands marked on the map A and B, to the western extremity of the Upper Sault or Baxter's Island; thence, passing between the two islands called the Cats, to the middle of the river above; thence along the middle of the river, keeping to the north of the small islands marked C and D, and north also of Chrystler's Island, and of the small island next above it, marked E, until it approaches the northeast angle of Goose Neck Island; thence along the passage which divides the last-mentioned island fro mthe Canada shore, keeping 100 yards from the island to the upper end of the same; thence south of and near the two small islands called the Nut Islands; thence north of and near the island marked F, and also of the island called Dry or Smuggler's Island; thence passing between the islands marked G and H to the north of the island called Isle au Rapid Platt; thence along the north side of the last-mentioned island, keeping 100 yards from the shore, to the upper end thereof; thence along the middle of the river, keeping to the south of and near the islands called Cousson (or Tussin) and Presque Isle; thence up the river, keeping north of and near the several Gallop Isles numbered on the map 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, and also of Tick, Tibbits, and Chimney Islands, and south of and near the Gallop Isles numbered 11, 12, and 13, and also of Duck, Drummond, and Sheep Islands; thence along the middle of the river, passing north of island No. 14, south of 15 and 16, north of 17, south of 18, 19, 20, 21, 22, 23, 24, 25, and 28, and north of 26 and 27; thence along the middle of the river, north of Gull Island and of the islands Nos. 29, 32, 33, 34, 36, Bluff Island, and Nos. 39, 44, and 45, and to the south of Nos. 30, 31, 35, Grenadier Island, and Nos. 37, 38, 40, 41, 42, 43, 46, 47, and 48, until it approaches the east end of Well's Island; thence to the north of Well's Island, and along the strait which divides it from Rowe's Island, keeping to the north of the small islands Nos. 51, 52, 54, 58, 59, and 61, and to the south of the small islands numbered and marked 50, 53, 55, 56, 57, 60, and H, until it approaches the northeast point of Grindstone Island; thence to the north of Grindstone Island, and keeping to the north also of the small islands Nos. 63, 65, 67, 68, 70, 72, 73, 74, 75, 76, 77, and 78, and to the south of Nos. 62, 64, 66, 69, and 71, until it approaches the southern point of Hickory Island; thence passing to the south of Hickory Island and of the two small islands lying near its southern extremity, numbered 79 and 80; thence to the south of Grand or Long Island, keeping near its southern shore, and passing to the north of Carlton Island, until it arrives opposite to the southwestern point of said Grand Island, in Lake Ontario; thence, passing to the north of Grenadier, Fox, Stony, and the Gallop Islands, in Lake Ontario, and to the south of and near the islands called the Ducks, to the middle of the said lake; thence westerly along the middle of said lake to a point opposite the mouth of the Niagara River; thence to and up the middle of the said river to the Great Falls; thence up the Falls through the point of the Horse Shoe, keeping to the west of Iris or Goat Island, and of the group of small islands at its head, and following the bends of the river so as to enter the strait between Navy and Grand Islands; thence along the middle of said strait to the head of Navy Island; thence to the west and south of and near to Grand and Beaver Islands, and to the west of Strawberry, Squaw, and Bird Islands to Lake Erie; thence southerly and westerly along the middle of Lake Erie in a direction to enter the passage immediately south of Middle Island, being one of the easternmost of the group of islands lying in the western part of said lake; thence along the said passage, proceeding to the north of Cunningham's Island, of the three Bass Islands, and of the Western Sister, and to the south of the islands called the Hen and Chickens, and of the Eastern and Middle Sisters; thence to the middle of the mouth of the Detroit River in a direction to enter the channel which divides Bois Blanc and Sugar Islands; thence up the said channel to the west of Bois Blanc Island, and to the east of Sugar, Fox, and Stony Islands, until it approaches Fighting or Great Turkey Island; thence along the western side and near the shore of said last-mentioned island to the middle of the river above the same; thence along the middle of said river, keeping to the southeast of and near Hog Island, and to the northwest of and near the island Isle à la Pêche, to Lake Saint Clair; thence through the middle of said lake in a direction to enter that mouth or channel of the river St. Clair, which is usually denominated the Old Ship Channel; thence along the middle of said channel, between Squirrel Island on the southeast and Herson's Island on the northwest, to the upper end of the last-mentioned island, which is nearly opposite to Point au Chênes, on the American shore; thence along the middle of the river Saint Clair, keeping to the west of and near the islands called Belle Rivière Isle and the Isle aux Cerfs, to Lake Huron; thence through the middle of Lake Huron in a direction to enter the strait or passage between Drummond's Island on the west and the Little Manitou Island on the east; thence through the middle of the passage which divides the two last-mentioned islands; thence, turning northerly and westerly, around the eastern and northern shores of Drummond's Island, and proceeding in a direction to enter the passage between the island of Saint Joseph's and the American shore, passing to the north of the intermediate islands Nos. 61, 11, 10, 12, 9, 6, 4, and 2, and to the south of those numbered 15, 13, 5, and 1; thence up the said last-mentioned passage, keeping near to the island Saint Joseph's, and passing to the north and east of Isle à la Crosse and of the small islands numbered 16, 17, 18, 19, and 20, and to the south and west of those numbered 21, 22, and 23, until it strikes a line (drawn on the map with black ink and shaded on one side of the point of intersection with blue and on the other with red) passing across the river at the head of Saint Joseph's Island and at the foot of the Neebish Rapids, which line denotes the termination of the boundary directed to be run by the sixth article of the treaty of Ghent.

And the said commissioners do further decide and declare that all the islands lying in the rivers, lakes, and water communications, between the before-described boundary line and the adjacent shores of Upper Canada do, and each of them does, belong to His Britannic Majesty; and that all the islands lying in the rivers, lakes, and water communications between the said boundary line and the adjacent shores of the United States or their territories do, and each of them does, belong to the United States of America, in conformity with the true intent of the second article of the said treaty of 1783, and of the sixth article of the treaty of Ghent.

By the second article of the convention with Great Britain—1818—the boundary line was extended westward along the forty-ninth parallel of latitude to the "Stony" (Rocky) Mountains, while beyond these mountains the treaty provided that the country should remain open to both parties. The terms of the treaty are as follows:

ARTICLE 2. It is agreed that a line drawn from the most northwestern point of the Lake of the Woods along the forty-ninth parallel of north latitude, or if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection due west along and with the said parallel, shall be the line of demarkation between the territories of the United States and those of His Britannic Majesty, and that the said line shall form the northern boundary of the said territories of the United States and the southern boundary of the territories of His Britannic Majesty from the Lake of the Woods to the Stony Mountains.

ARTICLE 3. It is agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains, shall, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects of the two powers; it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the high contracting parties in that respect being to prevent disputes and differences amongst themselves.

In 1824 negotiations were resumed between the two countries for the settlement, among other things, of the boundary west of the Rocky Mountains, but no conclusion was reached; the claim of the English Government being that the boundary line should follow the forty-ninth parallel westward to the point where this parallel strikes the great northwestern branch of the Columbia River, thence down the middle of that river to the Pacific Ocean.

In 1826 negotiations were resumed, and several compromises were proposed by both parties, but without satisfactory results. After this the whole matter remained in abeyance until the special mission of Lord Ashburton to this country in 1842.

Meanwhile the unsettled questions regarding the northeastern boundary again came up.

The case having reached that stage at which it became necessary to refer the points of difference to a friendly sovereign or state, the two powers found it expedient to regulate the proceedings and make provisions in relation to such reference, and on the 29th September, 1827, concluded a convention to that effect.

The respective claims of the United States and Great Britain were as follows, viz:

Boundary claimed by United States.—From the source of the river St. Croix (a point of departure mutually acknowledged) the boundary should be a due north line for about 140 miles, crossing the river St. John at about 75 miles. At about 97 miles it reaches a ridge or highland which divides tributary streams of the river St. John, which falls into the Bay of Fundy, from the waters of the river Ristigouche, which falls through the Bay des Chaleurs into the Gulf of St. Lawrence. In its further course the said due north line, after crossing several upper branches of the river Ristigouche, reaches, at about 140 miles, the highlands which divide the waters of the said river Ristigouche from the tributary streams of the river Metis, which falls into the river St. Lawrence.

Thence the line should run westerly and southwesterly along the highlands which divide the sources of the several rivers (from the Metis to the St. Francis) that empty themselves into the river St. Lawrence—from the sources of the tributaries of the rivers Ristigouche, St. John, Penobscot, Kennebec, and Connecticut, all which either mediately or immediately fall into the Atlantic Ocean.

Boundary claimed by Great Britain.—From the source of the river St. Croix the boundary should be a due north line about 40 miles to a point at or near Mars Hill; thence it should run westerly about 115 miles along the highlands that divide the sources of the tributaries of the river St. John from the sources of the river Penobscot to a spot called Metjarmette Portage, near the source of the river Chaudière.

From this point the line coincides with the line claimed by the United States until the northwesternmost head of the Connecticut River is reached. Great Britain claimed one of several small streams to be the northwesternmost tributary of the Connecticut River, and the United States another.

The King of the Netherlands was selected in 1829 by the two Governments as the arbiter, and each laid before him, in conformity with the provisions of the convention, all the evidence intended to be brought in support of its claim, and two separate statements of the respective cases. These four statements, which embrace the arguments at large of each party, respectively, have been printed, but not published (1840).

The award of the King of the Netherlands, made in 1831, was as follows, viz:

* * * * * * *

> We are of the opinion that it will be suitable (*il conviendra*) to adopt as the boundary of the two states a line drawn due north from the source of the river St. Croix to the point where it intersects the middle of the thalweg of the river St. John; thence the middle of the thalweg of that river, ascending it to the point where the the thalweg of the river Saint Francis, ascending it to the source of its southwest- river St. *Francis* empties itself into the river St. John; thence the middle of

westernmost branch, which source we indicate on the Map A by the letter X, authenticated by the signature of our minister of foreign affairs; thence in a line drawn due west to the point where it unites with the line claimed by the United States of America and delineated on the Map A; thence said line to the point at which, according to said map, it coincides with that claimed by Great Britain, and thence the line traced on the map by the two powers to the northwesternmost source of Connecticut River.

* * * * * * *

We are of the opinion that the stream situated farthest to the northwest, among those which fall into the northernmost of the three lakes, the last of which bears the name of Connecticut Lake, must be considered as the northwesternmost head of Connecticut River.

* * * * * * *

We are of the opinion that it will be suitable (il conviendra) to proceed to fresh operations to measure the observed latitude in order to mark out the boundary from river Connecticut along the parallel of the forty-fifth degree of north latitude to the river Saint Lawrence, named in the treaties Iroquois or Cataraguy, in such a manner, however, that, in all cases, at the place called Rouse's Point the territory of the United States of America shall extend to the fort erected at that place, and shall include said fort and its kilometrical radius (rayon kilométrique).

* * * * * * *

However disposed the Government of the United States might have been to acquiesce in the decision of the arbiter, it had not the power to change the boundaries of a State without the consent of the State. Against that alienation the State of Maine entered a solemn protest by the resolutions of 19th January, 1832. And the Senate of the United States did accordingly refuse to give its assent to the award.

The arbitration of the King of the Netherlands having failed, fruitless negotiations ensued for a period of eleven years. Unsuccessful attempts were made to conclude an agreement preparatory to another arbitration. The subject became a matter of great irritation, collisions occurred in the contested territory, and for a time it seemed certain that the controversy would result in war between the two powers. In 1842, however, Great Britain gave unequivocal proof of her desire for the preservation of peace, and an amicable arrangement of the matter at issue, by the special mission of Lord Ashburton to the United States. The subject of this mission was the settlement, not only of the northeastern boundary, but the northern boundary west of the Rocky Mountains. Regarding this object of his mission, Lord Ashburton's instructions gave as the ultimatum of the English Government the boundary as above sketched (p. 14), and, naturally, his mission had no result, as far as this portion of the boundary was concerned.

An agreement was reached, however, in regard to the northeastern boundary, which, the consent of the State of Maine having been obtained, was embodied in the treaty concluded August 9, 1842.

The following is the text of the portion of this treaty relating to the boundary:

ARTICLE I. It is hereby agreed and declared that the line of boundary shall be as follows: Beginning at the monument at the source of the river St. Croix, as designated and agreed to by the commissioners under the fifth article of the treaty of 1794, between the Governments of the United States and Great Britain; thence north, following the exploring line run and marked by the surveyors of the two Governments in the years 1817 and 1818, under the fifth article of the treaty of Ghent, to its intersection with the river St. John, and to the middle of the channel thereof; thence up the middle of the main channel of the said river St. John, to the mouth of the river Saint Francis; thence up the middle of the channel of the said river St. Francis, and of the lakes through which it flows, to the outlet of the Lake Pohenagamook; thence southwesterly, in a straight line, to a point on the northwest branch of the river St. John, which point shall be ten miles distant from the main branch of the St. John, in a straight line, and in the nearest direction, but if the said point shall be found to be less than seven miles from the nearest point of the summit or crest of the highlands that divide those rivers which empty themselves into the river St. Lawrence from those which fall into the river St. John, then the said point shall be made to recede down the said northwest branch of the river St. John, to a point seven miles in a straight line from the said summit or crest; thence in a straight line, in a course about south, eight degrees west, to the point where the parallel of latitude 46° 25′ north intersects the southwest branch of the St. John's; thence southerly, by the said branch, to the source thereof in the highlands at the Metjarmette portage; thence down along the said highlands which divide the waters which empty themselves into the river Saint Lawrence from those which fall into the Atlantic Ocean, to the head of Hall's stream; thence down the middle of said stream till the line thus run intersects the old line of boundary surveyed and marked by Valentine and Collins, previously to the year 1774, as the 45th degree of north latitude, and which has been known and understood to be the line of actual division between the States of New York and Vermont on one side, and the British province of Canada on the other; and from said point of intersection, west, along the said dividing line, as heretofore known and understood, to the Iroquois or St. Lawrence River.

ARTICLE II. It is moreover agreed that, from the place where the joint commissioners terminated their labors under the sixth article of the treaty of Ghent, to-wit, at a point in the Neebish channel, near Muddy Lake, the line shall run into and along the ship channel, between St. Joseph and Saint Tammany islands, to the division of the channel at or near the head of St. Joseph's Island; thence turning eastwardly and northwardly around the lower end of St. George's or Sugar Island, and following the middle of the channel which divides St. George's from St. Joseph's Island; thence up the east Neebish channel, nearest to St. George's Island, through the middle of Lake George; thence west of Jonas' Island, into St. Mary's River, to a point in the middle of that river, about one mile above St. George's or Sugar Island, so as to appropriate and assign the said island to the United States; thence, adopting the line traced on the maps by the commissioners, through the river St. Mary and Lake Superior, to a point north of Ile Royale, in said lake, one hundred yards to the north and east of Ile Chapeau, which last mentioned island lies near the northeastern point of Ile Royale, where the line marked by the commissioners terminates; and from the last-mentioned point, southwesterly, through the middle of the sound between Ile Royale and the northwestern mainland, to the mouth of Pigeon River, and up the said river, to and through the north and south Fowl Lakes, to the lakes of the height of land between Lake Superior and the Lake of the Woods; thence along the water communication to Lake Saisaginaga, and through that lake; thence to and through Cypress Lake, Lac du Bois Blanc, Lac la Croix, Little Vermillion Lake, and Lake Namecan, and through the several smaller lakes, straits, or streams, connecting the lakes here mentioned, to that point in Lac la Pluie, or Rainy Lake, at the Chaudière Falls, from which the commissioners traced the line to the most northwestern point of the Lake of the Woods; thence, along the said line, to the said most northwestern point, being in latitude 49° 23′ 55″ north, and in longitude 95° 14′ 38″ west from the observatory at Greenwich; thence, according to existing treaties, due south to its intersection with the forty-ninth parallel of north latitude, and along that parallel t the Rocky Mountains. It being understood that all the water communications and al the usual portages along the line from Lake Superior to the Lake of the Woods, an also Grand Portage, from the shore of Lake Superior to the Pigeon River, as no actually used, shall be free and open to the use of the citizens and subjects of bot countries.

* * * * * * *

ARTICLE VII. It is further agreed that the channels in the river St. Lawrence, o both sides of the Long Sault islands, and of Barnhart Island; the channels in the rive Detroit, on both sides of the island Bois Blanc, and between that island and both th American and Canadian shores, and all the several channels and passages betwe the various islands lying near the junction of the river St. Clair with the lake of the name, shall be equally free and open to the ships, vessels, and boats of both partie

Between 1843 and 1846 there was considerable negotiation regarding the boundary west of the Rocky Mountains, resulting finally in th Webster-Ashburton treaty, which defined the boundary as far west a the straits of Juan de Fuca. The following is that portion of the treat which defines the boundary.

TREATY WITH GREAT BRITAIN, 1846.

ARTICLE I. From the point on the forty-ninth parallel of north latitude, where th boundary laid down in existing treaties and conventions between the United Stat and Great Britain terminates, the line of boundary between the territories of th United States and those of Her Britannic Majesty shall be continued westward alon the said forty-ninth parallel of north latitude to the middle of the channel whic separates the continent from Vancouver's Island, and thence southerly through th middle of the said channel, and of Fuca's Straits to the Pacific Ocean: *Provide however*, That the navigation of the whole of the said channel and straits south the forty-ninth parallel of north latitude remain free and open to both parties.

ARTICLE II. From the point at which the forty-ninth parallel of north latitu shall be found to intersect the great northern branch of the Columbia River, the na igation of the said branch shall be free and open to the Hudson's Bay Company, and all British subjects trading with the same, to the point where the said branch me the main stream of the Columbia, and thence down the said main stream to the oce with free access into and through the said river or rivers, it being understood that the usual portages along the line thus described shall, in like manner, be free a open. In navigating the said river, or rivers, British subjects, with their goods a produce, shall be treated on the same footing as citizens of the United States; it b ing, however, always understood that nothing in this article shall be construed preventing, or intending to prevent, the Government of the United States from maki any regulations respecting the navigation of the said river or rivers not inconsiste with the present treaty.

The above treaty extended the line westward from the Rocky Moun ains to the Pacific along the forty-ninth parallel of latitude. This se tled the northern boundary with the exception of the islands and pa sages in the straits of Georgia and of Juan de Fuca, the English clai ing that the boundary should properly run through the Rosario stra the most eastern passage, while the United States claimed that it shou naturally follow the Canal de Haro.

This matter was finally settled by a reference to the Emperor of G many as an arbitrator, who decided it in favor of the United States the 21st of October, 1872, thus finally disposing of our boundary with Great Britain.

ADDITIONS TO THE TERRITORY OF THE UNITED STATES.

THE LOUISIANA PURCHASE.

The region subsequently known as the territory of Louisiana was originally claimed by France, by virtue of discovery and occupation.

In 1712 France made a grant to Antoine de Crozat, of the exclusive right to the trade of this region. As this grant makes the first, and indeed the only statement of the limits of this vast region, as they were understood by France, a portion of it is here introduced.

> We have by these presents signed with our hand, authorised, and do authorise the said Sieur Crozat to carry on exclusively the trade in all the territories by us possessed, and bounded by New Mexico and by those of the English in Carolina, all the establishments, ports, harbors, rivers, and especially the port and harbor of Dauphin Island, formerly called Massacre Island, the river St. Louis, formerly called the Mississippi, from the seashore to the Illinois, together with the river St. Philip, formerly called the Missouries River, and the St. Jerome, formerly called the Wabash (the Ohio), with all the countries, territories, lakes in the land, and the rivers emptying directly or indirectly into that part of the river St. Louis. All the said territories, countries, rivers, streams, and islands, we will to be and remain comprised under the name of the Government of Louisiana, which shall be dependent on the general Government of New France, and remain subordinate to it, and we will, moreover, that all the territories which we possess on this side of the Illinois, be united, as far as need be, to the general Government of New France, and form a part thereof; reserving to ourself, nevertheless, to increase, if we judge proper, the extent of the government of the said country of Louisiana.

From this it appears that Louisiana was regarded by France as comprising the drainage basin of the Mississippi as far north as the mouth of the Illinois, with those of all its branches which enter it below this point, including the Missouri, but excluding that portion in the southwest claimed by Spain. It is moreover certain that the area now comprised in Washington, Oregon, and Idaho was not included.

Crozat surrendered this grant in 1717.

On November 3, 1762, France ceded this region to Spain, defining it only as the province of Louisiana. A few months later, on February 10, 1763, by the treaty of peace between Great Britain, France, and Spain, the western boundary of the former's possessions in the New World, was placed in the center of the Mississippi River, thus reducing the area of Louisiana by the portion east of the Mississippi River.

By the treaty of San Ildefonso, October 1, 1800, Spain transferred back to France the balance of the province of Louisiana.

Immediately after this transfer became known, which was on November 30, 1803, measures were set on foot by President Jefferson for securing in some way free access to the sea by way of the Mississippi River. Circumstances favored this negotiation. Bonaparte was at that time in almost daily expectation of a declaration of war by Great Britain, in which case the first act of the latter would be to seize the mouth of the Mississippi, and with it the province of Louisiana. Under these circumstances Bonaparte offered to sell the province to the United States, and the offer was promptly accepted. The consideration was 60,000,000 francs and the assumption by the United States of the "French spoliation claims," which were estimated to amount to $3,750,000.

The treaty of cession, which bears date April 30, 1803, describes the territory only as being the same as ceded by Spain to France by the treaty of San Ildefonso.

From this it appears that the territory sold to the United States comprised that part of the drainage basin of the Mississippi which lies west of the course of the river, with the exception of such parts as were then held by Spain. The want of precise definition of limits in the treaty was not objected to by the American commissioners, as they probably foresaw that this very indefiniteness might prove of service to the United States in future negotiations with other powers. In fact, the claim of the United States to the area now comprised in Oregon, Washington, and Idaho in the negotiations with Great Britain regarding the northwestern boundary, was ostensibly based, not only upon prior occupation and upon purchase from Spain, but also upon the alleged fact that this area formed part of the Louisiana purchase. That this claim was baseless is shown not only by what has been already detailed regarding the limits of the purchase, but also by the direct testimony of the French plenipotentiary, M. Barbé Marbois. Some twenty years after the purchase he published a work upon Louisiana, in which he detailed at some length the negotiations which preceded the purchase, and, referring to this question said: "The shores of the western ocean were certainly not comprised in the cession, but already the United States are established there."

There is also contained in this work a map of the country between the Mississippi and the Pacific, on which the extent of Louisiana to the westward is indicated by a line drawn on the one hundred and tenth meridian, which is not far from the western limit of the drainage basin of the Mississippi in Wyoming and Montana. That part of the country now comprised in Oregon, Washington, and Idaho, which, it has been claimed, formed part of the purchase, bears the following legend: "Territories and countries occupied by the United States, following the treaty of cession of Louisiana."

From this it appears that the limits of the Louisiana purchase can no longer be a matter of discussion; but although the United States certainly did not purchase Oregon, as a part of Louisiana, it is no less certain that that great area west of the Rocky Mountains fell into their hands as a direct consequence of such purchase.

FLORIDA.

The second addition to the territory of the United States consisted of the Floridas, purchased from Spain on February 22, 1819. From the date of the Louisiana purchase in 1803, the territory bounded by the Mississippi River on the west, the Perdido on the east, the parallel of 31° on the north, and the Gulf on the south had been in dispute between the two countries. During this time it had been practically in the possession of the United States. This purchase settled these conflicting claims.

The following is the clause in the treaty with Spain ceding the Floridas which defines the cession:

> ART. 2. His Catholic Majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him, situated to the eastward of the Mississippi, known by the name of East and West Florida, the adjacent islands dependent upon said province, etc.

A further article in this treaty defines the boundary between the United States and the Spanish Possessions in the southwest, as follows:

> The boundary line between the two countries, west of the Mississippi, shall begin on the Gulph of Mexico, at the mouth of the river Sabine, in the sea, continuing north, along the western bank of that river, to the thirty-second degree of latitude; thence by a line due north to the degree of latitude where it strikes the Rio Roxo of Nachitoches, or Red River; then following the course of the Rio Roxo to the degree of longitude 100 west from London, or about 23° west of Washington; then crossing the said Rio Roxo and running thence, by a line due north, to the River Arkansas; thence, following the course of the southern bank of the Arkansas, to its source in latitude 42 north; and thence by that parallel of latitude to the South Sea, the whole being as laid down in Melish's map of the United States, published at Philadelphia, improved to the 1st of January, 1818. But if the source of the Arkansas River shall be found to fall north or south of latitude 42, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of latitude 42, and thence along the said parallel to the South Sea, all the islands in the Sabine and the said Red and Arkansas Rivers, throughout the course thus described, to belong to the United States; but the use of the waters, and the navigation of the Sabine to the sea, and of the said rivers Roxo and Arkansas throughout the extent of the said boundary on their respective banks shall be common to the respective inhabitants of both nations.

TEXAS.

The next acquisition of territory was that of the Republic of Texas, which was admitted as a State on December 29, 1845. The area which Texas brought into the Union was limited as follows:

> All the land lying east of the Rio Grande and embraced within the limits of the Rio Grande on the west and south and the boundary between the United States and Spain under the Florida treaty of 1819, on the east, viz, the Sabine River, thence north to the Red River, thence up the Red River to the one hundredth meridian west of Greenwich, thence due north to the Arkansas River, thence up the Arkansas River to its source and down the Rio Grande.

THE FIRST MEXICAN CESSION.

In 1848 a further addition was made to our territory by the treaty of Guadalupe-Hidalgo. This added to the country the area of California, Nevada, Utah, and parts of Colorado, Arizona, and New Mexico, while the Gadsden purchase, which was effected in 1853, added the remainder of Arizona and another part of New Mexico.

The treaty of Guadalupe-Hidalgo was concluded February 2, 1848, and proclaimed July 4, 1848. The clauses in it defining our acquisition of territory are as follows:

ARTICLE V. The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called the Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying into the sea; from thence up the middle of that river, following the deepest channel where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence westwardly along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination; thence northward along the western line of New Mexico until it intersects the first branch of the river Gila (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled, "Map of the United Mexican States as organized and defined by various acts of the Congress of said Republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell;" of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year 1782, by Don Juan Pantoja, second sailing-master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners Sutil and Mexicana; of which plan a copy is hereunto added, signed and sealed by the respective plenipotentiaries.

GADSDEN PURCHASE.

Subsequently, on December 30, 1853, a second purchase was made of Mexico, consisting of the strip of land lying south of the Gila River, in New Mexico and Arizona. The boundaries as established by this, known as the Gadsden purchase, were as follows:

ARTICLE I. The Mexican Republic agrees to designate the following as her true limits with the United States for the future: Retaining the same dividing line between the two Californias as already defined and established, according to the fifth article of the treaty of Guadalupe-Hidalgo, the limits between the two republics shall be as follows: Beginning in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe-Hidalgo; thence, as defined in the said article, up the middle of that river to the point where the parallel of 31° 47′ north latitude crosses the same; thence due west one hundred miles; thence south to the parallel of 31° 20′ north latitude; thence along the said parallel of 31° 20′ to the one hundred and eleventh meridian of longitude west of Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.

ALASKA.

There remains but one acquisition of territory to the United States from foreign powers, viz, that of Alaska, purchased from Russia. The treaty of purchase was signed on March 30, 1867, and proclaimed June 20, 1867. The boundaries of the territory are described in the accompanying quotation from the treaty:

> Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54° 40′ north latitude, and between the one hundred and thirty-first and one hundred and thirty-third degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel as far as the point of the continent where it strikes the fifty-sixth degree of north latitude; from this last-mentioned point, the line of demarkation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the one hundred and forty-first degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the one hundred and forty-first degree in its prolongation as far as the Frozen Ocean.
>
> IV. With reference to the line of demarkation laid down in the preceding article, it is understood—
>
> 1st. That the island called Prince of Wales Island shall belong wholly to Russia, (now, by this cession, to the United States).
>
> 2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the fifty-sixth degree of north latitude to the point of intersection of the one hundred and forty-first degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned (that is to say, the limit to the possessions ceded by this convention), shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom.
>
> The western limit within which the territories and dominion conveyed are contained passes through a point in Behring's Straits on the parallel of 65° 30′ north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north without limitation into the same Frozen Ocean.
>
> The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest through Behring's Straits and Behring's Sea, so as to pass midway between the northwest point of the island of Saint Lawrence and the southeast point of Cape Choukotski to the meridian of one hundred and seventy-two west longitude, thence from the intersection of that meridian in a southwesterly direction, so as to pass midway between the island of Attoo and the Copper Island of the Kormandorski couplet or group, in the North Pacific Ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian Islands west of that meridian.

The consideration paid for the Territory of Alaska was $7,200,000, in gold.

CHAPTER II.

THE PUBLIC DOMAIN AND AN OUTLINE OF THE HISTORY OF CHANGES MADE THEREIN.

CESSIONS BY THE STATES.

At the time the Constitution was adopted by the original thirteen States, many of them possessed unoccupied territory, in some cases entirely detached and lying west of the Appalachian Mountains. Thus, Georgia included the territory from its present eastern limits westward to the Mississippi River. North Carolina possessed a narrow strip extending from latitude 35° to 36° 30′, approximately, and running westward to the Mississippi, including besides its own present area that of the present state of Tennessee. In like manner, Virginia possessed what is now Kentucky, while a number of States, as Pennsylvania, New York, Massachusetts, and Connecticut, laid claim to areas in what was afterward known as the Territory Northwest of the River Ohio, a region which is now comprised mainly in the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin. These claims were to a greater or less extent conflicting. In some cases several States claimed authority over the same area, while the boundary lines were in most cases very ill-defined.

The ownership of these western lands by individual States was opposed by those States which did not share in their possession, mainly on the ground that the resources of the General Government, to which all contributed, should not be taxed for the protection and development of this region, while its advantages would inure to the benefit of but a favored few. On this ground several of the States refused to ratify the Constitution until this matter had been settled by the cession of these tracts to the General Government.

Moved by these arguments, as well as by the consideration of the conflicting character of the claims, which must inevitably lead to trouble among the States, Congress passed, on October 30, 1779, the following act:

> Whereas the appropriation of the vacant lands by the several States during the present war will, in the opinion of Congress, be attended with great mischiefs: Therefore,
>
> *Resolved*, That it be earnestly recommended to the State of Virginia to reconsider their late act of assembly for opening their land office; and that it be recommended to the said State, and all other States similarly circumstanced, to forbear settling or issuing warrants for unappropriated lands, or granting the same during the continuance of the present war.

This resolution was transmitted to the different States. The first to respond to it by the transfer of her territory to the General Government was New York, whose example was followed by the other States.

These cessions were made on the dates given below:

New York, March 1, 1781.

Virginia, March 1, 1784.

Massachusetts, April 19, 1785

Connecticut, September 13, 1786.

The Connecticut act of cession reserved an area in the northeastern part of Ohio, known as the Western Reserve. On May 30, 1800, Connecticut gave to the United States jurisdiction over this area, but without giving up its property rights in it.

South Carolina, August 9, 1787.

North Carolina, February 25, 1790.

Georgia, April 24, 1802.

7

The following paragraph from the deed of cession by New York defines the limits of its cession to the General Government:

> Now, therefore, know ye, that we, the said James Duane, William Floid, and Alexander M'Dougall, by virtue of the power and authority, and in the execution of the trust reposed in us, as aforesaid, have judged it expedient to limit and restrict, and we do, by these presents, for and in behalf of the said State of New York, limit and restrict the boundaries of the said State in the western parts thereof, with respect to the jurisdiction, as well as the right or pre-emption of soil, by the lines and in the form following, that is to say: a line from the northeast corner of the State of Pennsylvania, along the north bounds thereof to its northwest corner, continued due west until it shall be intersected by a meridian line to be drawn from the forty-fifth degree of north latitude, through the most westerly bent or inclination of Lake Ontario; thence by the said meridian line to the forty-fifth degree of north latitude; and thence by the said forty-fifth degree of north latitude; but if, on experiment, the above-described meridian line shall not comprehend twenty miles due west from the most westerly bent or inclination of the river or strait of Niagara, then we do, by these presents, in the name of the people, and for and on behalf of the State of New York, and by virtue of the authority aforesaid, limit and restrict the boundaries of the said State in the western parts thereof, with respect to jurisdiction, as well as the right of pre-emption of soil, by the lines and in the manner following, that is to say: a line from the northeast corner of the State of Pennsylvania, along the north bounds thereof, to its northwest corner, continued due west until it shall be intersected by a meridian line, to be drawn from the forty-fifth degree of north latitude, through a point twenty miles due west from the most westerly bent or inclination of the river or strait Niagara; thence by the said meridian line to the forty-fifth degree of north latitude, and thence by the said forty-fifth degree of north latitude.

The deed of cession by Virginia gives no limits, further than to specify that the lands transferred include only those lying northwest of the river Ohio.

The following paragraph from the deed of cession by Massachusetts gives the limits of the area ceded:

> * * * We do by these presents assign, transfer, quitclaim, cede, and convey to the United States of America, for their benefit, Massachusetts inclusive, all right, title, and estate of and in, as well the soil as the jurisdiction, which the said Com-

commonwealth hath to the territory or tract of country within the limits of Massachusetts charter, situate and lying west of the following line, that is to say, a meridian line to be drawn from the forty-fifth degree of north latitude through the westerly bent or inclination of Lake Ontario, thence by the said meridian line to the most southerly side line of the territory contained in the Massachusetts charter; but if on experiment the above-described meridian line shall not comprehend twenty miles due west from the most westerly bent or inclination of the river or strait of Niagara, then we do by these presents, by virtue of the power and authority aforesaid, in the name and on behalf of the said Commonwealth of Massachusetts, transfer, quitclaim, cede, and convey to the United States of America, for their benefit, Massachusetts inclusive, all right, title, and estate of and in as well the soil as the jurisdiction, which the said Commonwealth hath to the territory or tract of country within the limits of the Massachusetts charter, situate and lying west of the following line, that is to say, a meridian line to be drawn from the forty-fifth degree of north latitude through a point twenty miles due west from the most westerly bent or inclination of the river or strait of Niagara; thence by the said meridian line to the most southerly side line of the territory contained in the Massachusetts charter aforesaid.

The following clause from the act of the legislature of Connecticut, authorizing the cession, defines its limits:

Be it enacted * * * That the delegates of this State, or any two of them, who shall be attending the Congress of the United States, be, and they are hereby, directed, authorized, and fully empowered, in the name and behalf of this State, to make, execute, and deliver, under their hands and seals, an ample deed of release and cession of all the right, title, interest, jurisdiction, and claim of the State of Connecticut to certain western lands, beginning at the completion of the forty-first degree of north latitude, one hundred and twenty miles west of the western boundary line of the Commonwealth of Pennsylvania, as now claimed by said Commonwealth, and from thence by a line drawn north, parallel to and one hundred and twenty miles west of the said west line of Pennsylvania, and to continue north until it comes to forty-two degrees and two minutes north latitude. Whereby all the right, title, interest, jurisdiction, and claim of the State of Connecticut to the lands lying west of said line to be drawn as aforementioned, one hundred and twenty miles west of the western boundary line of the Commonwealth of Pennsylvania, as now claimed by said Commonwealth, shall be included, released, and ceded to the United States in Congress assembled, for the common use and benefit of the said States, Connecticut inclusive.

The cession of South Carolina was described as follows:

* * * All the territory or tract of country included within the river Mississippi and a line beginning at that part of the said river which is intersected by the southern boundary line of the State of North Carolina, and continuing along the said boundary line until it intersects the ridge or chain of mountains which divides the eastern from the western waters, then to be continued along the top of said ridge of mountains until it intersects a line to be drawn due west from the head of the southern branch of Tugaloo River to the said mountains; from thence to run a due west course to the river Mississippi.

The State of North Carolina ceded—

The lands situated within the chartered limits of this State, west of a line beginning on the extreme height of Stone Mountain, at the place where the Virginia line intersects it; running thence along the extreme height of the said mountain to the place where the Watauga River breaks through it; thence a direct course to the top of the Yellow Mountain where Bright's road crosses the same; thence along the ridge of the said mountain, between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of the said mountain to where Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of the said mountain to the Painted Rock, on French Broad River; thence along the highest ridge of the said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of the said mountain to the place where it is called the Unicoy or Unaka Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this State.

It will be noted that the above description of the eastern boundary of her ceded possessions agrees in general terms with the description of the western boundary of North Carolina, as given on page 26.

The articles of cession by Georgia describe the area ceded as follows:

> The lands situated within the boundaries of the United States, south of the State of Tennessee and west of a line beginning on the west bank of the Chattahoochee River, where the same crosses the boundary line between the United States and Spain; thence running up the said river Chattahoochee and along the western bank thereof to the great bend thereof, next above the place where a certain creek or river, called Uchee (being the first considerable stream on the western side, above the Cussetas and Coweta towns), empties into the said Chattahoochee River; thence in a direct line to Nickajack, on the Tennessee River; thence crossing the last-mentioned river, and thence running up the said Tennessee River and along the western bank thereof to the southern boundary line of the State of Tennessee.

Of the area thus ceded to the General Government, the part lying north of the Ohio was afterwards erected into the "Territory Northwest of the River Ohio," and the balance, lying south of that river, was known as the "Territory South of the River Ohio."

THE TERRITORY NORTHWEST OF THE RIVER OHIO.

This territory was bounded on the west by the Mississippi and the international boundary, on the north by the boundary line between the United States and the British Possessions, on the east by the Pennsylvania and New York state lines, and on the south by the Ohio River. It comprised an area of, approximately, 265,000 square miles. It was made up of claims of different States as follows:

1. Virginia uncontested claims, which consisted of all the territory west of Pennsylvania and north of the Ohio to the forty-first parallel of north latitude, besides her claim, by capture, as far as the northern limits of the land under the crown which had been subject to the jurisdiction of the provinces of Quebec and to Lakes Michigan and Huron.

2. The claim of Connecticut, which extended from the forty-first parallel northward to the parallel of 42° 2', and from the west line of Pennsylvania to the Mississippi River.

41° – 42° 2'

3. The claim of Massachusetts, which extended from the north line of the Connecticut claim above noted to 43° 43' 12" north latitude, and from the eastern boundary of New York to the Mississippi.

42° 2' — 43° 43'

4. The belt or zone lying north of the Massachusetts claim, extending thence to the Canada line and west to the Mississippi River, was claimed to have been obtained by the treaty of peace of Great Britain, September 3, 1783.

5. At the cession by the state of Virginia, both Massachusetts and New York claimed the Erie purchase of about 316 square miles, which was subsequently bought by Pennsylvania and added to that State.

From this territory were formed the following States: Ohio, Indiana, Illinois, Michigan, Wisconsin, that part of Minnesota east of the Mississippi River, and the northwest corner of Pennsylvania.

In 1787 a bill for its provisional division into not less than three nor more than five States was passed by Congress. In this bill the limits of the proposed States were defined, corresponding in their north and south lines to the boundaries of Ohio, Illinois, and Indiana, as at present constituted. The following gives the text of the clause defining these boundaries:

CONFEDERATE CONGRESS—AN ORDINANCE FOR THE GOVERNMENT OF THE TERRITORY OF THE UNITED STATES NORTHWEST OF THE RIVER OHIO.

* * * * * * *

ARTICLE 5. There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western State, in said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash River; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however*, And it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan.

Passed July 13, 1787.

The provisions of this bill seem, however, never to have been carried out. A provisional government was instituted in 1788. By act of May 7, 1800, Congress divided this territory into two territorial governments, the divisional line being a meridian passing through the mouth of the Kentucky River and extending thence northward to the Canada border. The eastern portion became the "Territory Northwest of the River Ohio," and the western portion, Indiana Territory.

wrong
Ft Recov

On November 29, 1802, the State of Ohio, comprising most of the former, was formed and admitted into the Union, while the remnant of it was added to Indiana Territory.

In 1805, all that portion of Indiana Territory lying north of a parallel through the most southerly bend of Lake Michigan and east of a meridian drawn through the same point became the Territory of Michigan. The boundary between these territories was subsequently very much changed, as will appear in the sequel.

By act of February 3, 1809, Indiana Territory was again divided, and the Territory of Illinois was created from the part lying west of the Wabash River and a meridian running through the city of Vincennes, extending thence to the Canada line.

In 1816 Indiana, and in 1818 Illinois, were admitted to the Union as States, each with its boundaries as constituted at present. By the same act the Mississippi River was made the western boundary of the Territory of Michigan, thus making it include all the balance of the original Northwest Territory after the formation of the three States of Ohio, Indiana, and Illinois.

The act of 1834 added to Michigan Territory the land between the Missouri and White Earth Rivers on the west and the Mississippi River on the east.

Wisconsin Territory was formed in 1836 from the portion of Michigan Territory west of the present State of Michigan. On January 26, 1837, Michigan was admitted into the Union, with its present boundaries. In 1838 all that portion of Wisconsin Territory lying west of the Mississippi River and a line drawn due north from its source to the international boundary (that is, all that part which was originally comprised in the Louisiana purchase) was made the Territory of Iowa, and in 1848 Wisconsin was admitted as a State, with its boundaries as at present constituted.

This appears to leave the area which is now the northeastern part of Minnesota, lying east of the Mississippi River and a line drawn due north from its source, without any government until the formation of Minnesota Territory, in 1849.

TERRITORY SOUTH OF THE RIVER OHIO.

The "Territory South of the River Ohio" was bounded on the north by the Ohio River, on the south by the thirty-first parallel of latitude, on the east by the States of Virginia, North Carolina, South Carolina, and Georgia, and on the west by the Mississippi River. The different cessions from the States which made up this region are as follows:

1. The region ceded by Virginia, which lay between the Ohio River on the North and, nominally, the parallel of 36° 30′ on the south, and between the Mississippi River and her present western boundary on the east, being the region which is now the State of Kentucky.

2. The area ceded by North Carolina, which extended from 36° 30′ north latitude southward to 35°, and from the western boundary line of

the present State to the Mississippi River. This is now the State of Tennessee.

3. The area ceded by South Carolina, which formed a narrow belt, 12 or 14 miles in width, lying south of the thirty-fifth parallel, and extending from her western boundary to the Mississippi River. It is doubtful whether under the terms of the original charters South Carolina possessed this strip, or whether it was not included in the possessions of Georgia.

4. The area ceded by Georgia, which comprised most of the region of the present States of Alabama and Mississippi, north of the thirty-first parallel.

Kentucky was admitted to the Union on June 1, 1792; Tennessee in 1796. In 1798 Congress organized the Territory of Mississippi, which was originally a small, rectangular area, bounded on the west by the Mississippi River, on the north by the parallel through the mouth of the Yazoo River; the boundary on the east was the river Chattahoochee, and on the south the thirty-first parallel of north latitude. This area was subsequently enlarged so as to include the whole of what is now Mississippi and Alabama, with the exception of a strip along the Gulf coast, which was at that time claimed by Spain. In 1817 the territory was divided, and the eastern portion was made into Alabama Territory. Subsequently the two Territories were admitted as States.

LOUISIANA AND THE TERRITORY ACQUIRED FROM MEXICO.

The Louisiana purchase was effected in 1803. In 1804 it was divided into two parts, that portion which now comprises the State of Louisiana, with the exception of a small piece in the southeastern part, being organized as Orleans Territory, while the balance remained as the Louisiana Territory. The State of Louisiana, comprising the Territory of Orleans, was admitted to the Union in 1812, and in the same year it was enlarged by the addition of the portion lying between the Mississippi and Pearl Rivers, in the southeastern part. In the same year the name of Louisiana Territory was changed to Missouri Territory. In 1819 Arkansaw Territory, having very nearly the same limits as the present State of Arkansas, was created, and in 1836 it was admitted as a State.

In 1820 the State of Missouri was formed from another portion of Missouri Territory, and in 1836 the boundaries of this State were enlarged to their present limits. In 1834, as was stated above, that portion of this Territory lying north of the State of Missouri and east of the Missouri and White Earth Rivers was attached to the Territory of Michigan. In 1836 this portion was transferred from the Territory of Michigan to the Territory of Wisconsin. In 1838 it was transferred to the Territory of Iowa. In 1845 the State of Iowa was created, and in 1846 its boundaries were enlarged. In 1849 the remainder of the Territory was transferred to Minnesota Territory. Minnesota was admitted as a State on May 11, 1858, with its present boundaries.

Meantime Texas had been admitted to the Union, and by the treaty of Guadalupe-Hidalgo and the Gadsden purchase, we had acquired from Mexico all the area west of the northern part of Texas and south of the forty-second parallel. Furthermore, our northern boundary had been established on the forty-ninth parallel to the Pacific Ocean.

Out of this great western region were carved the following Territories:

Oregon Territory, which was formed in 1848, and which extended from the parallel of 49° north latitude southward to latitude 42°, and from the Pacific Ocean east to the summit of the Rocky Mountains.

California, which was admitted as a State in 1849, with the same limits which it possesses at present.

Utah Territory, which was formed in 1850, and which extended from the forty-second parallel southward to the thirty-seventh, and from the California boundary line eastward to the Rocky Mountains.

New Mexico, which comprised all the country lying south of Utah to the boundary line of Texas and Mexico, and from the California boundary eastward to the boundary of Texas.

Nebraska Territory, which was formed from Missouri Territory in 1854. It comprised the country from the forty-ninth parallel down to the fortieth and from the Missouri and White Earth Rivers west to the summit of the Rocky Mountains.

Kansas Territory, formed by the same act as the last, comprised the country lying west of Missouri to the boundary of New Mexico and Utah, and from the south boundary of Nebraska to the thirty-seventh parallel.

Indian Territory then had its present limits.

Washington Territory was formed in 1853 from a part of Oregon, its southern boundary being the Columbia River and the parallel of 46° north latitude, and its east line being the summit of the Rocky Mountains.

Oregon was admitted as a State in 1857, with its boundaries as at present established. The portion cut off from Oregon Territory was placed under the territorial government of Washington Territory.

Dakota Territory was formed in 1861. As originally formed it comprised all that region between its present eastern and southern boundaries, while its western boundary was the summit of the Rocky Mountains.

The Territory of Nevada was organized from the western portion of the Territory of Utah in 1861. As originally constituted, its eastern line was the meridian of thirty-nine degrees of longitude west from Washington, and its southern boundary was the parallel of thirty-seven degrees of latitude. It was admitted as a State in 1864, its eastern boundary being made the thirty-eighth degree of longitude (approximately the one hundred and fifteenth degree west from Greenwich), while its southern boundary remained the same. In 1866, by act of Congress, the eastern boundary was moved one degree farther to the eastward, placing it upon the thirty-seventh degree of longitude west from Washington, and the triangular portion contained between the former southern boundary, the boundary of California, the Colorado River and the meridian of thirty-seven degrees of longitude was added, thus giving the State its present area and limits.

Colorado Territory was formed in 1861, with the limits of the present State. It was admitted as a State in 1876.

The Territory of Arizona was formed from New Mexico in 1863, being that portion of New Mexico lying west of the thirty-second meridian west of Washington.

In the same year Idaho was formed from parts of Dakota and Washington Territories. As originally constituted it included all the territory lying east of the present eastern limits of Oregon and Washington Territory to the twenty-seventh degree of longitude west of Washington, the latter meridian being its eastern boundary. Its southern boundary was the northern boundary of Colorado and Utah—that is, the forty-first and forty-second parallels of latitude.

From this Territory was detached, in 1864, the Territory of Montana, with its present limits, and in 1868 the Territory of Wyoming, these several changes reducing Idaho to its present dimensions.

CHAPTER III.

THE BOUNDARY LINES OF THE STATES AND TERRITORIES.

MAINE.

The first charter having any relation to the territory comprising the present State of Maine is that granted by Henry IV of France to Pierre du Guast, sieur de Monts, in 1603, known as the charter of Acadia, which embraced the whole of North America between the fortieth and forty-sixth degrees of north latitude. Under this, several expeditions were made, and in 1605 it was decided to make a permanent settlement at Port Royal, now Annapolis, Nova Scotia, and no further attempts were made under this charter to plant colonies within the limits of the present State of Maine. (*Vide* Charters and Constitutions, p. 771.)

By the first charter of Virginia (*vide* Virginia, p.), granted by James I, in 1606, the lands along the coast of North America between the thirty-fourth and forty-fifth degrees of north latitude were given to two companies, to one of which, the Plymouth Company, was assigned that part of North America including the coast of New England. The first colony in Maine was planted on the peninsula of Sabine, at the mouth of the Kennebec River, now Hunnewell's Point, on August 19, 1607, O. S., by George Popham.

James I in 1620 granted a charter to the Plymouth Company, in which may be found the following, viz:

> Wee, therefore * * * doe grant ordaine and establish that all that Circuit, Continent, Precincts and Limitts in America lying and being in Breadth from Fourty Degrees of Northerly Latitude from the Equinoctiall Line, to Fourty eight Degrees of the said Northerly Latitude and in length by all the Breadth aforesaid throughout the Maine Land from Sea to Sea—with all the Seas, Rivers, Islands, Creekes, Inletts, Ports and Havens within the Degrees, Precincts and Limitts of the said Latitude and Longitude shall be the Limitts, and Bounds, and Precincts of the second colony—and to the end that the said Territoryes may hereafter be more particularly and certainly known and distinguished, our Will and Pleasure is, that the same shall from henceforth be nominated, termed and called by the name of New England in America.

Under this grant, given in 1621, the Earl of Stirling claimed that he was entitled to land on the coast of Maine which was afterwards granted to the Plymouth Company, and by direction of James I that company issued a patent to William Alexander, Earl of Stirling,

> For a tract of the main land of New England, beginning at Saint Croix and from thence extending along the sea-coast to Pemquid and the river Kennebeck. (*Vide* Charters and Constitutions, p. 774.)

The heirs of the Earl of Stirling sold this tract to the Duke of York in 1663. (*Vide* Zell's Encyclopædia.)

In 1622 Capt. John Mason and Sir Ferdinando Gorges obtained from the council of Plymouth a grant of the lands lying between the Merrimac and Kennebec Rivers, and extending back to the river and lakes of Canada. This tract was called Laconia, and it included New Hampshire and all the western part of Maine. (*Vide* Whiton's New Hampshire.)

Mistake. Vide
Lowell Institute
lectures: Mass
Historical

Mason and Gorges, in 1629, by mutual consent divided their territory into two by the river Piscataqua. That part on the east of this river was relinquished to Gorges, who called it Maine. (*Vide* Whiton's New Hampshire.)

The charter of the Plymouth Company was surrendered to the King in the year 1635. (*Vide* Plymouth Colony Laws, p. 333 *et supra.*)

King Charles I, in the year 1639, granted a charter to Sir Ferdinando Gorges, which virtually confirmed the patent given to him by the Plymouth Company in 1622.

The following extract from that charter defines the boundaries:

> All that Parte Purparte and Porcon of the Mayne Lande of New England aforesaid beginning att the entrance of Piscataway Harbor and soe to passe upp the same into the River of Newichewanocke and through the same unto the furthest heade thereof and from thence Northwestwards till one hundred and twenty miles bee finished and from

Piscataway Harbor mouth aforesaid Northeastwards along the Sea Coasts to Sagadahocke and up the River thereof to Kynybequy River and through the same unto the heads thereof and into the Lande Northwestwards untill one hundred and twenty myles bee ended being accompted from the mouth of Sagadahocke and from the period of one hundred and twenty myles aforesaid to crosse over Lande to the one hundred and twenty myles end formerly reckoned upp into the Lande from Piscataway Harbor through Newichewanocke River and also the Northe halfe of the Isles of Shoales togeather with the Isles of Capawock and Nawtican neere Cape Cod as alsoe all the Islands and Iletts lyeinge within five leagues of the Mayne all alonge the aforesaide coastes betweene the aforesaid River of Pascataway and Sagadahocke with all the Creeks Havens and Harbors thereunto belonginge and the Revercon and Revercons Remaynder and Remaynders of all and singular the said Landes Rivers and Premisses. All which said Part Purpart or Porcon of the Mayne Lande and all and every the Premisses herein before named Wee Doe for us our heires and successors create and incorporate into One Province or Countie, and Wee Doe name ordayne and appoynt that the porcon of the Mayne Lande and Premisses aforesaid shall forever hereafter bee called and named The Province or Countie of Mayne.

In 1664 Charles II granted to the Duke of York, who, the year before, had purchased the territory, which had been awarded to the Earl of Stirling in the division of the country to his heirs, a portion of the present State of Maine, and also certain islands on the coast, and a large territory west of the Connecticut River. (For the boundaries vide New York, p. 71 *et seq.*)

In 1674 Charles II made a new grant to the Duke of York, in substantially the same terms as that of 1664, including as before a portion of Maine. (*Vide* New York, p. 72.)

In the year 1677, Ferdinando Gorges, a grandson of Sir Ferdinando Gorges sold and gave a deed of the province of Maine to John Ushur, a merchant, of Boston, for £1,250. In the same year, Ushur gave a deed of the same territory to the governor and company of Massachusetts Bay, who had received a grant from the council of Plymouth in 1628, confirmed by the King in 1629. (*Vide* C. & C., p. 774.)

In 1686 Pemaquid and its dependencies, forming Cornwall County, under the jurisdiction of New York, were annexed to the New England government by a royal order, dated September 10, 1686. (*Vide* Maine Historical Society Collection, vol. 5.)

The charter of Massachusetts Bay of 1629 having been canceled in 1684, in 1691 William and Mary granted a new one, incorporating the provinces of Maine and Acadia, or Nova Scotia, with the colonies of Massachusetts Bay and of Plymouth, into one royal province by the name of the Royal Province of Massachusetts Bay. (*Vide* Mass., p. 48.)

The right of government thus acquired over the district of Maine was exercised by Massachusetts until 1819 when measures were taken to admit Maine as an independent State.

By the treaty of Paris in 1763 the King of France relinquished all claim to that portion of North America which includes the present State of Maine.

The northern and eastern boundaries were settled by the United States and Great Britain. (See p. 8, et seq.)

The western boundary was for a long time a source of contention between Maine and New Hampshire.

New Hampshire having been made a province in 1679, controversies arose concerning the divisional line.

In 1731 commissioners from New Hampshire and from Massachusetts having been appointed, met, but were unable to agree. New Hampshire appealed to the King, and the King ordered that a settlement should be made by commissioners from the neighboring provinces. The board met at Hampton in 1737. The commissioners fixed on—substantially—the present boundary, wording their report as follows:

Beginning at the entrance of Piscataqua Harbor, and so to pass up the same to the River Newichawanock, and thro' the same into the furthest head thereof, and thence run north 2 degrees west till 120 miles were finished, from the mouth of Piscataqua Harbor, or until it meet with His Majesty's other Governments. (See N. H. Historical Coll., Vol. II.)

This was confirmed by the King, August 5, 1740.

In 1820 Maine was admitted, as an independent State.

Difficulties having arisen about the boundary between Maine and New Hampshire, commissioners were appointed in 1827 from each State to determine the same.

In 1829 the commissioners' report was adopted by each State, and the line then settled upon is as follows, using the language of the commissioners' report, viz:

The report of the commissioners appointed by His Majesty's order in Council of February 22nd, 1735, and confirmed by his order of the 5th of August, 1740, having established—

"That the dividing line shall pass up through the mouth of Piscataqua Harbor, and up the middle of the river of Newichwannock, part of which is now called the Salmon Falls, and through the middle of the same to the furthest head thereof, &c.," and "that the dividing line shall part the Isle of *Shoals*, and run through the middle of the harbor, between the islands to the sea on the southerly side, &c." We have not deemed it necessary to commence our survey until we arrived north, at the head of Salmon Falls River, which was determined by Bryant, at his survey in 1768, to be at the outlet of East pond, between the towns of Wakefield and Shapleigh. From that point we have surveyed and marked the line as follows, viz:

We commenced at the Bryant Rock, known as such by tradition, which is a rock in the middle of Salmon Falls River, at the outlet of East pond, about six feet in length, three feet in breadth, three feet in depth, and two feet under the surface of the water, as the dam was at the time of the survey, to wit, October 1, 1827; said stone bears south, seventy-one degrees west, three rods and eight links from a large rock on the eastern bank, marked "1827," and bears also from a rock near the mill-dam (marked "H") north, nineteen degrees and thirty minutes west, and distant twelve rods and twenty-one links. At this point the variation of the needle was ascertained to be nine degrees west.

From the above stone the line is north seven degrees and forty-one minutes east, one hundred and seventy-eight rods to East pond, and crossing the pond three hundred and eleven rods in width to a stone monument which we erected up on the bank, about three and an half feet high above the surface of the ground, marked N on the west side and M on the east side, which description applies to all the stone monuments hereinafter mentioned unless they are otherwise particularly described; thence the same course, two hundred and twenty-five rods, to Fox Ridge, and to a stone monument which is placed upon the north side of the road that leads from Wakefield to Shapleigh; thence two hundred rods to Balch's pond; across the pond, one hundred and three and half rods; across a peninsula, thirty-six rods; across a cove, fifty-one rods and seventeen links; across a second peninsula, forty-eight rods; across a second cove, twenty-seven rods, ten links.

Thence three hundred and seventy rods, to the road leading from Newfield to Wakefield and a stone monument, erected on the north side of the same, near Campernell's house; thence north six degrees and ten minutes east, five hundred and ninety rods, to the line of Parsonsfield, to a stone monument with additional mark "1828."

At this point the variation of the needle was found to be nine degrees fifteen minutes west. Thence same course five hundred and eleven rods, crossing the end of Province pond to a stone monument on the Parsonsfield road, near the house of James Andrews, also with additional mark "1828"; thence north eight degrees and thirty-eight minutes east, two hundred and eight rods, to the old corner-stone of Effingham, about two feet above the ground, and not marked; thence north eight degrees fifty-five minutes east, two hundred and seventy-seven rods, to a large round stone about three feet diameter and two feet high, marked N and M, by the road upon Towle's hill; thence north seven degrees fifty-five minutes east, six hundred and thirty-one rods to a stone monument, on the road leading from Parsonsfield to Effingham. At this point the variation of the needle was found to be 9 degrees thirty minutes west. Thence north five degrees two minutes east, seven hundred thirty-four to a pine stump, upon a small island in Ossipee River at the foot of the falls; thence north ten degrees east, thirty rods, to a stone monument, on the north side of the new road from Porter to Effingham; thence the same course, five hundred fifty-eight rods, to the top of Bald Mountain; thence same course, three hundred sixteen rods, to the top of Bickford Mountain; thence same course one hundred and ninety-three rods, to a stone monument, on the north side of the road, leading from Porter to Eaton.

At this point the variation of the needle was found to be nine degrees forty-five minutes west; thence north eight degrees five minutes east, seven hundred and forty-four rods, to Cragged Mountain; thence same course, sixty-seven rods, to the corner of Eaton; thence same course, seven hundred eighty-seven and an half rods, to the corner of Conway; thence same course, six hundred ten and an half rods, to a stone monument, on the south side of the road, leading from Brownfield to Conway Center; thence north eight degrees east, eight hundred seventy-one rods, to a stone monument on the south side of the road leading from Fryeburg Village to Conway. At this point the variation of the needle was found to be ten degrees west; thence same course, four rods, to a stone monument on the north side of the same road; thence north eight degrees fifteen minutes east, one hundred two rods, to Saco River; thence same course, eighteen rods, across said river; thence same course, six hundred forty-four rods, to a stone monument on the road leading to Fryeburg Village, on the north side of the river.

This monument is marked as before described, and is about eight feet high above the ground; thence same course, one hundred forty-two rods, to Ballard's Mill Pond; thence same course, sixty-one rods, six links, across said pond; thence same course, three hundred forty-four rods, to a stone monument on the east side of Chatham road; thence same course, six hundred ninety rods, to Kimball's Pond; thence same course, one hundred sixty-six rods, across said pond; thence same course, sixty rods, to a stone monument on the meadow.[1] Thence same course, nine hundred forty rods, to the corner of Bradley and Eastman's grant; thence same course, six hundred and ninety rods, to a stone monument on the east side of the Cold River road. This stone is marked as efore described, but is not more than two feet above the ground. Thence same course, ne thousand five hundred forty rods, to the corner of Warner and Gilman's location, a ile of stones. At this point the variation of the needle was found to be ten degrees wenty-three minutes west; thence same course, four hundred and fifty rods, to top f Mount Royce; thence same course, eight hundred ninety-eight rods, to Wild River; hence same course, eight rods, across said river; thence same course, seven hundred hirty-five rods, to a stone monument on the north side of the road leading from Lan-aster to Bethel; thence same course, one hundred rods, to Androscoggin River; hence same course, eighteen rods, across said river; thence north eight degrees ten inutes east, four thousand one hundred sixty-two rods, across ten streams, to Chickwalnepy River; thence same course, two thousand five hundred rods, to a stone onument on the north side of the road leading from Errol to Andover. This stone s marked "N. H." and "M.," thence same course two hundred ten rods to Cambridge River, thence same course eight rods across said river, thence same course five hundred sixty-seven rods to Umbagog Lake, thence same course thirty-four rods across a cove of the same, thence same course ten rods across a peninsula of the same, thence same course two hundred twenty-five rods across a bay of said lake, thence same course two hundred six rods across a peninsula of the same, thence same course one thousand one hundred sixty-five rods across the north bay of said lake to a cedar post marked "H." "M.," thence north eight degrees east seven hundred fourteen rods to Pond brook; thence same course two hundred twenty-five rods to a stone monument on the south side of the Margalloway River, thence same course ten rods across said river, thence same course one hundred sixty-two rods to a spruce, corner of the college grant, thence same course two hundred sixty-four rods to Margalloway River a second time. At this point the variation of the needle was found to be eleven degrees forty-five minutes west; thence same course ten rods across said river, thence same course two hundred and ninety rods to same river a third time, thence same course ten rods across said river to a monument made with three stones on the north side of said river, about two feet high and not marked, thence same course four hundred forty-four rods to corner of township number five, in second range, in Maine, thence same course one thousand eight hundred six rods to the north corner of the same township, thence same course four hundred and sixty rods to a branch of Little Diamond River, thence same course three hundred fifty rods to another branch of the same, thence same course two thousand one hundred twenty rods to a branch of the Margalloway River, thence same course three hundred thirty-two rods to another branch of the same, thence same course four hundred rods to a steep mountain called Prospect Hill, thence same course nine hundred and twenty rods to Mount Carmel, sometimes called Sunday Mountain, thence same course four hundred rods to a perpendicular precipice, thence same course five hundred and forty rods to a branch of Margalloway River, thence same course two hundred and sixty rods to a branch of the same, thence same course three hundred forty-six rods to a second steep precipice, thence same course one hundred eighty-six rods to a branch of Margalloway River, thence same course two hundred forty-two rods to another branch of same river, thence same course seventy-eight rods to a beaver pond, thence same course one hundred twenty-six rods to a yellow birch tree on the highlands which divide the waters that run south from those that run into the St. Lawrence, being the northern extremity of the line and one hundred and twelve miles two hundred and thirty-three rods from the head of Salmon Falls River.

---

[1] From this point the line was resurveyed in 1858, vide p. 93.

Found said tree marked on the east side "M. E. 1789," and on the west "N. H. E. L.;" also "M. 54." To these marks we added "N. H.," "N. E.," and "M. E.," "1858," "E. H.," "A. M. M.," "1858," and stones were piled round the same and marked.

The whole course of the line from the Androscoggin River was re-marked by spotting the old marked trees and crossing the spots and marking others in the course. And the line as above survey and described we agree to be the true boundary line of said States. And the above-described marks and monuments we establish to designate the same; and that the said line hereafter remain the boundary line between the States, unless the legislature of either State shall, at the first session after the execution of this agreement, disapprove of the same.

WILLIAM KING,
RUFUS McINTIRE,
Commissioners of Maine.
ICHABOD BARTLETT,
JOHN W. WEEKS,
Commissioners of New Hampshire.

NOVEMBER 13, 1828.

The legislature of Maine approved of the commissioners' report February 28, 1829, and requested the governor to issue his proclamation accordingly.

The same action was taken by the legislature of New Hampshire, July 1, 1829.

(For Report of Commissioners, see Laws of Maine, 1828–'9, under head of Resolves of the Ninth Legislature of the State of Maine, pages 39–43.)

Between 1828 and 1858, considerable portions of the almost unbroken forests through which the line of 1827–'28 was marked were cleared. Extensive forest fires often swept large tracts of this territory, and, as a consequence, the marks of the 1827–'28 survey for a distance of nearly eighty miles—which by that survey was mainly fixed by blazed trees,—only some stone posts having been set in this distance—were obliterated, so that there remained scarcely a vestige of the original line. The lands having become valuable, and litigation in many cases being imminent, the legislatures of the two States in 1858 provided by enactment for another survey from Fryeburg to the Canada line—which was made the same year. The line as then surveyed is as follows, viz:

"Commencing at an iron post* situated on the line run in accordance with the "Treaty of Washington, of August 9, 1842," as the boundary between the United States and the province of Canada, at the corners of the States of Maine and New Hampshire. On the south face of said post are the words "Albert Smith, U. S. Commr."; on the north face, "Lt. Col. J. B. B. Estcourt, H. B. M. Commr."; on the west face, "Boundary, Aug. 9, 1842"; on the east face, "Treaty of Washington." To the marks are added on the southern half of the west face, "H. O. Kent." A large flat stone was placed on the southern face of the monument and marked "1858—N. H., Me.," on either side of a line cut in said stone bearing the direction of the State's line, viz, south, 6 degrees west.

"From this point the line is south 6 degrees west, 17 rods, 7 links to a large yellow birch stub, the northern terminus of the former survey; thence 136 rods to a beaver pond; thence 73 rods to the northwesterly branch of the Margalloway, known as East River; thence 348 rods to another branch of the Margalloway; thence 185 rods to a certain steep precipice perpendicular on its southern face; thence 240 rods to a branch of the Margalloway River; thence 160 rods to another branch of the same; thence 140 rods to a precipice, the southern side of Mount Abbott; thence 400 rods to the summit of Mount Carmel; thence 800 rods, and across four streams, to the summit of Prospect Hill.

---

*The position of this post is given in Hitchcock's Geological Survey of New Hampshire, as follows, viz, latitude, 45° 18' 20".28; longitude, 71° 0' 49".5.

On this distance we marked a yellow birch tree "H. O. Kent, September 29, 1858," and the names of the remainder of the party; thence 480 rods to another branch of the Margalloway; thence 288 rods to the Little Margalloway River; thence 2,190 rods across Bosebuck Mountain to a branch of said river. On this distance at the northwest corner of township No. 5, range 3, in Maine, we marked a white birch tree, "N. H. M.," and on its north and south sides, "IV, III." Thirty rods from the summit of Bosebuck Mountain, and on its northern slope, we erected a stone monument marked "N. M."; thence 330 rods to the Little Diamond River or Abbott Brook; thence 480 rods to the northwest corner of township No. 5, range 2, in Maine. On this distance we found an ancient yellow birch tree marked "1789-35, M." To these marks we added "1858"; thence 1,536 rods to the southwest corner of the same township. On this distance, at the northeast corner of Dartmouth College, second grant in N. H., we marked a large yellow birch tree "Me., J. M. W., 1858; N. H., H. O. K."; thence, and across an open bog, 444 rods to the north bank of the Margalloway River, to a white maple tree marked "N. H. M."; thence 10 rods across said river to a large pine tree marked "M." "N. H."; thence and across a second open bog 300 rods to the same river and to a large elm stub; thence 10 rods across said river; thence 264 rods to a spruce post marked "M." "N. H.", "W. L.", "D. C.", being the southeast corner of Dartmouth College, second grant; thence 168 rods to the Margalloway River; thence 10 rods across said river to a stone monument on its southerly side, standing about 3 feet above the ground and marked "M." "N. H."; thence to the original line tree nearest to the clearing of the home farm of E. F. Durkee, esq. *The course of the line the entire distance from the iron post at the national boundary to this point bears south eight degrees west*; thence across said clearing, the old line marks being gone, south 11 degrees and 30 minutes west, 168 rods, to the old crossed trees in the woods south of Pond Brook; thence from Pond Brook south eight degrees west, 714 rods to the north bay of Umbagog Lake and to a cedar tree marked "M." "H." To this we added "1858."

On this distance near the corner of Errol and Wentworth's location, which is a cedar post in a pile of stones, we marked a maple tree "M. 1858," "N. H. 1858"; thence south ten degrees and thirty minutes west 1,165 rods, across the north bay of said lake to the old marked trees on the southern shore; thence south eight degrees west 208 rods across the peninsula to a cedar tree marked "M." "N. H." A large stone, also, on the lake shore was marked "M," "N. H."; thence same course 225 rods, across a bay of said lake; thence same course 10 rods, across a peninsula; thence same course 34 rods across a cove; thence same course 567 rods to Cambridge River; thence same course 8 rods, across said river to a white maple stub; thence same course 320 rods to a stone monument on the north side of the road leading from Andover, Me., to Colebrook, N. H.; thence same course to the north edge of the burnt land in Grafton and Success; thence south 11 degrees west across ten streams and the Chickwalnepy River, or Silver Stream, to the old line trees bearing the crosses, easterly of the south end of Success Pond; thence on the same course south 10 degrees west following the old mark to an ash tree bearing the original cross, standing a few rods north of the house of the late Daniel Ingalls, in Shelburne; thence south 11 degrees west to a stone monument, by the road on the north side of the Androscoggin River, and to the north bank of said river, the whole distance from the stone monument near Umbagog Lake to the north bank of the Androscoggin River, being 6,693 rods; thence south 11 degrees west 18 rods across said river; thence same course 100 rods, crossing the track of the Grand Trunk Railway to a stone monument on the north side of the road leading from Lancaster, N. H., to Bethel, Me.; thence same course, 765 rods to a hemlock tree on the south bank of Wild River; thence south 65 degrees 30 minutes west 34 rods on an offset of the old survey along said south bank to the old line trees; thence following the old line trees south 12 degrees west, passing the southeast corner of Shelburne, 800 rods to the top of Mount Royce, the whole distance being 1,381 rods. One mile north of the summit of Mount Royce we marked a beech tree "N. H." "M." 1858; thence to a large stone marked "N. H." "M." 1858; thence south 10 degrees 15 minutes west to a stone monument on the east side of the Cold River road. On this distance at the foot of the first precipice on the northern face of Mount Royce a white-birch tree was marked "1858." Further on and east of a bare ledge a white-birch tree was marked "1858," and near it, on the line, a pile of stones was erected. At the first clearing, near the north end of a stone fence, a large stone was marked "M." "N. H."; thence along a stone fence and across a road through a piece of new growth and again crossing the road; then following another stone fence on the east side of the road, passing through a field and by the end of another stone fence; then crossing a road near the west end of a bridge over Cold River; then following the valley of that stream and crossing it six times; then crossing another road, where we placed a stone monument; then through a field, striking an old stump and pile of stones, shown as the old line and passing between a house and barn, and through the western edge of a grove of trees to the stone monument near the house of Mr. Eastman, the whole distance being 1,190 rods; thence 1,539 rods to a stone monument standing in the meadow 60 rods south of the north shore of Kimball's pond, in Fryeburg.

But as the towns of Fryeburg and Stowe have erected no durable monument on the State's line at their respective corners, we deemed it advisable, under our instructions, to proceed so far south as at least to pass the said corner and to complete the work at some well-defined monument of the old survey.

This course bore from the monument to and across an open bay south 12 degrees west; thence on the old trees south 9 degrees west 160 rods; thence on the old line south 10 degrees 30 minutes west to a stone monument erected by us near the house of Jonnet Clay, in Chatham, and on the north side of the road leading from Stowe to Chatham Corners; said monument is marked "M." "N. H." 1858; thence on the old line south 11 degrees west to the road leading from North Fryeburg to Chatham, at which point we placed a stone monument; thence south 11 degrees west to the northwest corner of Fryeburg, being a stake in a pile of stones in a piece of low ground, southerly of the house of Captain Bryant, and to the old monument, 60 rods north of Kimball's pond. On the bank north of said corner, on the south side of the road, and near Captain Bryant's house, we placed a stone monument marked "M." "N. H. 1858."

The different courses laid down in the foregoing report are the bearings of the compass in 1858 when placed on the line established in 1828. (See Legislative Journal of New Hampshire, 1859, pages 764–767.)

In 1874 the line between Maine and New Hampshire was resurveyed and marked. (*Vide* Hitchcock's Geology of New Hampshire, Vol. I, p. 173.)

NEW HAMPSHIRE.

The first charter of Virginia, granted in 1606, included the territory of the present State of New Hampshire (*vide* p. 33), as did the charter of New England, granted in 1620 (*vide* p. 33), and the grant to Capt. John Mason and Sir Ferdinando Gorges of 1622 (*vide* p. 33).

The president and council of New England made a grant to Capt. John Mason in 1629 as follows, viz:

* * * * * * *

All that part of the main land in New England lying upon the sea coast, beginning from the middle part of Merrimack River, and from thence to proceed northwards along the sea-coast to Piscataqua River, and so forwards up within the said river and to the furthest head thereof, and from thence northwestwards until three score miles be finished from the first entrance of Piscataqua River and also from Merrimack through the said river and to the furthest head thereof, and so forward up into the lands westward until three score miles be finished, and from thence to cross overland to the three score miles, and accompted to Piscataqua River, together with all islands and islets within 5 leagues distance of the premises and abutting upon the same, or any part or parcel thereof, &c., * * * which said portions of lands * * * the said Capt. John Mason, with the consent of the president and council, intends to name *New Hampshire.* * * *

In 1635 the grant of 1629 was confirmed by a supplementary grant, of which the following is an extract, viz:

All that part of the Mayn Land of New England aforesaid, beginning from the middle part of Naumkeck River, and from thence to proceed eastwards along the Sea Coast to Cape Anne, and round about the same to Pischataway Harbour, and soe forwards up within the river Newgewanacke, and to the furthest head of the said River and from thence northwestwards till sixty miles bee finished, from the first entrance of Pischataway Harbor, and alsoe from Naumkecke through the River thereof up into the land west sixty miles, from which period to cross over land to the sixty miles end, accompted from Pischataway, through Newgewanacke River to the land northwest aforesaid; and alsoe all that the South Halfe of the Ysles of Sholes, all which lands, with the Consent of the Councell, shall from henceforth be called New-hampshyre. And alsoe ten thousand acres more of land on the southeast part of Sagadahoc at the mouth or entrance thereof—from henceforth to bee called by the name of Masonia, &c. * * *

After the death of Capt. John Mason (in December, 1635), the affairs of the colony coming into bad condition, they sought the protection of Massachusetts in 1641 and enjoyed it till 1675, when Robert Mason, a grandson of John Mason, obtained a royal decree, under which, in 1680, a colonial government was established. But no charter was given to the colony, and its government was only continued during the pleasure of the King. The following is an extract from the commission, or decree, issued by the King in 1680:

Province of New Hampshire, lying and extending from three miles northward of Merrimack River or any part thereof into ye Province of Maine.

In the year 1690 the province of New Hampshire was again taken under the jurisdiction of Massachusetts Bay, but was again separated in 1692.

[For a history of the boundary between New Hampshire and Maine, vide Maine, p. 35.]

The controversy already referred to arising between the provinces of New Hampshire and Massachusetts Bay not only involved the settlement of the boundary between New Hampshire and Maine, but also that between New Hampshire and Massachusetts, and, as before stated (vide Maine, p. 35), the commissioners appointed by the two provinces having been unable to agree, New Hampshire appealed to the King, who ordered that the boundaries should be settled by a board of commissioners appointed from the neighboring colonies.

The board met at Hampton in 1737, and submitted a conditional decision to the King, who in 1740 declared in council as follows, viz:

That the northern boundary of the province of Massachusetts be a similar curve line pursuing the course of the Merrimac River, at three miles distance, on the north side thereof, beginning at the Atlantic Ocean and ending at a point due north of Pentucket Falls, and a straight line drawn from thence, due west, till it meets with His Majesty's other Governments. (*Vide* Vermont State Papers, Slade, p. 3.)

New Hampshire claimed her southern boundary to be a line due west from a point on the sea three miles north of the mouth of Merrimac River. Massachusetts claimed all the territory three miles north of any part of Merrimac River. The King's decision gave to New Hampshire, a strip of territory more than fifty miles in length and of varying width, in excess of that which she claimed. This decree of the King was forwarded to Mr. Belcher, then governor of both the provinces of New Hampshire and Massachusetts Bay, with instructions to apply to the respective assemblies to unite in making the necessary provisions for running and marking the line conformable to the said decree, and if either assembly refused, the other was to proceed *ex parte*. Massachusetts Bay declined complying with this requisition. New Hampshire, therefore, proceeded alone to run and mark the line.

George Mitchel and Richard Hazen were appointed by Belcher to survey and mark the line. Pursuant to this authority, in the month of February, 1741, Mitchel ran and marked the line from the sea-coast about three miles north of the mouth of the Merrimac River to a point about three miles north of Pawtucket Falls, and Hazen, in the month of March following, ran and marked a line from the point, three miles north of Pawtucket Falls, across the Connecticut River, to the supposed boundary line of New York, on what he then supposed to be a due west course from the place of beginning. He was instructed by Governor Belcher to allow for a westerly variation of the needle of ten degrees. (*Vide* New Hampshire Journal H. R., 1826.)

The report of the surveyors has not been preserved, but the journal of Hazen has been found, and is published in the New England Historical and General Register, July, 1879.

Subsequent investigation has proved that this line was not run on a due west course, the allowance for the westerly variation of the needle being quite too large, throwing the line north of west.

This mistake seems to have been known previous to the Revolution. In 1774 calculations were made by George Sproule, founded upon actual surveys and accurate astronomical observations, from which he determined that Hazen's line was so far north of west as to lose to the State of New Hampshire quite a large tract of land. (*Vide* New Hampshire Journal H. R., 1826.)

In 1825 commissioners were appointed by the States of New Hampshire and Massachusetts to ascertain, run, and mark the line between the two States, under the proceedings of which New Hampshire asserted her claim to a due west line, conformable to the decree of 1740, it being apparent by a survey made by the commissioners that the original line was north of west. This the Massachusetts commissioners refused to do, alleging that they were only empowered to ascertain and mark the original line.

On March 10, 1827, the legislature passed a resolution providing for the erection of durable monuments to preserve the boundary line between the States of Massachusetts and New Hampshire, as the same had been run and ascertained by the commissioners; and monuments were erected accordingly. (*Vide* Resolves of Massachusetts, 1827.)

In 1830–'8 a trigonometrical survey of the State of Massachusetts was made under the direction of Simeon Borden.

A table of the latitudes and longitudes of points on the north boundary of Massachusetts, taken from that survey, will be found under Massachusetts, p. 64, from which the true course of the Hazen line, as marked by the commissioners in 1827, may be readily discovered.

Under the decree of the King of 1740 the province of New Hampshire claimed jurisdiction as far west as the territory of Massachusetts and Connecticut extended, thus including the present State of Vermont. New York claimed all the country west of the Connecticut, under the charters of 1664 and 1674 to the Duke of York. A bitter controversy ensued. The following papers serve to throw some light on the matter:

Letter from the Governor of New Hampshire to the Governor of New York.

PORTSMOUTH, November 17, 1749.

* * * I think it my duty * * * to transmit to your excellency the description of New Hampshire as the King has determined it in the words of my commission. * * * In consequence of His Majesty's determination of the boundaries between New Hampshire and Massachusetts, a surveyor and proper chainmen were appointed to run the western line from 3 miles north of Pawtucket Falls, and the surveyor upon oath has declared that it strikes Hudson's River about 80 poles north of where Mohawk's River comes into Hudson's River.

* * * * * * *

B. WENTWORTH.

(See State Papers of Vermont, Slade 1, page 13.)

The following is a description of the bounds of New Hampshire given to Governor Benning Wentworth, of province of New Hampshire, by George II, July 3, 1741:

George the Second, by the Grace of God, of Great Britain, France, and Ireland King, Defender of the Faith, &c.

To our trusty and well-beloved Benning Wentworth, Esqr., greeting:

Know you that we, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said Benning Wentworth, out of our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint, and by these presents do constitute and appoint you, the said Benning Wentworth, to be our governor and commander-in-chief of our province of New Hampshire, within our dominions of New England in America, bounded on the south side by a similar curve line pursuing the course of Merrimac River at three miles distance, on the north side thereof, beginning at the Atlantick Ocean and ending at a point due north of a place called Pautucket Falls, and by a straight line drawn from thence due west across the said river 'till it meets with our other Governments. * * *

Given at Whitehall July the 3rd, in the 15th year of His Majesty's reign.

(See Documentary History of N. York, vol. 4, page 331.)

The question of the right of territory was submitted to the King, who in 1764 made the following decree:

ORDER IN COUNCIL FIXING THE BOUNDARY BETWEEN NEW YORK AND NEW HAMPSHIRE.

[L. S.]

AT THE COURT AT ST. JAMES,
The 20th day of July, 1764.

Present: The King's Most Excellent Majesty; Lord Steward, Earl of Sandwich, Earl of Halifax, Earl of Powis, Earl of Hilsborough, Mr. Vice Chamberlain Gilbert Eliot, Esqr., James Oswald, Esqr., Earl of Harcourt.

Whereas there was this day read at the Board a report made by the right honorable the lords of the committee of council for plantation affairs, dated the 17th of this instant, upon considering a representation from the lords commissioners for trade and plantations, relative to the disputes that have some years subsisted between the provinces of New Hampshire and New York, concerning the boundary line between those provinces, His Majesty, taking the same into consideration, was pleased with the advice of his Privy Council to approve of what is therein proposed, and doth accordingly hereby order and declare the western banks of the river Connecticut, from where it enters the province of the Massachusetts Bay, as far north as the forty-fifth degree of northern latitude, to be the boundary line between the said two provinces of New Hampshire and New York. Whereof the respective governors and commanders in chief of His Majesty's said provinces of New Hampshire and New York for the time being, and all others whom it may concern, are to take notice of His Majesty's pleasure hereby signified and govern themselves accordingly.

WM. BLAIR.

(Vide Documentary History of New York, vol. 4, p. 355.)

Notwithstanding this decree of the King, controversy, attended with violence, was kept up for many years; but the line was finally accepted and now forms the boundary line between the States of New Hampshire and Vermont.

The northern boundary of New Hampshire was settled by the United States and Great Britain. (*Vide* p. 9 *et seq.*)

It is as follows, viz:

Commencing at the "Crown Monument," so called, at the intersection of the State of New Hampshire, Maine, and the Province of Quebec, in latitude 45° 18' 23".35, longitude 71° 5' 49".5, thence in an irregular line to Hall's Stream, thence down the same to the northeastern corner of Vermont, in latitude 45° 0' 17".58, longitude 71° 30' 34".5. (*Vide* Hitch. Geology of New Hampshire.)

VERMONT.

The grants from King Henry, of France, of 1603, and King James,
f England, of 1606, both included that territory which forms the pres-
nt State of Vermont. It was also included in the charter of New Eng-
and of 1620.

In the grants to the Duke of York, in 1664 and 1674, all the territory
etween the Connecticut and Delaware Rivers was included. New
ork, therefore, claimed jurisdiction of the territory now known as
ermont. Massachusetts, however, at an early period, having made
laim to the tract west of the Connecticut River, now a portion of that
tate, by the interpretation of her charter, claimed the greater part of
he same territory. By the terms of the charter of Massachusetts Bay,
f 1629, that colony was granted all the lands—

> Which lye and be within the space of Three English myles to the northward of the
> ide River called Monomack alias Merrymack, or to the norward of any and every
> Parte thereof.

Under this clause Massachusetts Bay claimed that her jurisdiction
xtended 3 miles north of the farthest part of the Merrimac River,
hich would embrace a large portion of New Hampshire and Vermont.
New Hampshire contested this claim, and after several years' contro-
ersy was more than sustained by a decision of the King in 1740. New
Hampshire in her turn claimed the territory of Vermont, on the ground
hat Massachusetts and Connecticut, having been allowed to extend
heir boundaries to within 20 miles of the Hudson River, her western
boundary should go equally as far, and contended that the King's de-
ree of 1740 left that fairly to be inferred; also, that the old charters of
1664 and 1674 were obsolete.

By a decree of the King, however, the territory west of the Connec-
icut River, from the 45th parallel of north latitude to the Massachu-
etts line, was declared to belong to the province of New York. (*Vide*
New Hampshire, p. 44.)

As most of the settlers of Vermont were from New Hampshire, this
decision of the King caused great dissatisfaction, and the Revolution
found Vermont the scene of conflicting claims, and the theatre of violent
acts, culminating, in some instances, in actual bloodshed.

On January 15, 1777, Vermont declared herself independent and laid
claim to the territory west as far as the Hudson River, and from its
source north to the international boundary, including a tract along the
west shore of Lake Champlain. A part of New Hampshire, also, at one
time, sought a union with Vermont.

In 1781 Massachusetts assented to her independence. She adjusted
her differences with New Hampshire in 1782, but eight years more
passed before New York consented to her admission into the Union.

In 1791 Vermont was admitted as an independent State, but was required to restrict her boundaries to their present extent.

The act of New York, of March 6, 1790, giving her consent to the admission of Vermont, defines her boundaries. (*Vide* Slade's Vermont, p. 507.)

The northern boundary was settled by the United States and Great Britain by the treaty of Washington, in 1842. (*Vide* p. 16.)

The eastern boundary is low-water mark on the west bank of the Connecticut River. (*Vide* New Hampshire, p. 44.)

The southern boundary was settled by the decree of 1740. (*Vide* New Hampshire, p. 42.)

The line between Vermont and New York was surveyed and marked by commissioners from the two States in 1814, and is as follows, viz:

Beginning at a red or black oak tree, the northwest corner of Massachusetts, and running north 68° 30' west as the magnetic needle pointed in 1814, 50 chains, to a monument erected for the southwest corner of the State of Vermont, by Smith Thompson, Simeon De Witt, and George Tibbitts, commissioners on the part of New York, and Joseph Beeman, jr., Henry Olin, and Joel Pratt second, commissioners on the part of the State of Vermont, which monument stands on the brow of a high hill, descending to the west, then northerly in a straight line to a point which is distant 10 chains, on a course, south 35 degrees west, from the most westerly corner of a lot of land distinguished in the records of the town of Pownal, in the State of Vermont, as the 5th division of the right of Gamaliel Wallace, and which, in the year 1814, was owned and occupied by Abraham Vosburgh; then north 35 degrees east to said corner and along the westerly bounds of said lot, 20 chains to a place on the westerly bank of Hosick River, where a hemlock tree heretofore stood, noticed in said records as the most northerly corner of said lot; then north 1 degree and 30 minutes west, 6 chains to a monument erected by the said commissioners, standing on the westerly side of Hosick River, on the north side of the highway leading out of Hosick into Pownal, and near the northwesterly corner of the bridge crossing said river; then north 27 degrees and 30 minutes east, 30 chains, through the bed of the said river, to a large roundish rock on the northeasterly bank thereof; then north 15 degrees west, 16 chains and 70 links; then north 9 degrees west, 15 chains and 60 links, to a white-oak tree, at the southwest corner of the land occupied in 1814 by Thomas Wilsey; then north 11 degrees east, 77 chains to the north side of a highway, where it is met by a fence dividing the possession of said Thomas Wilsey, jr., and Henry Hurd; then north 45 degrees east, 6 chains; then south 66 degrees east, 26 chains and 25 links; then north 9 degrees east, 27 chains and 50 links to a blue-slate stone, anciently set up for the southwest corner of Bennington; then north 7 degrees and 30 minutes east, 48 miles 45 chains and 60 links to a bunch of hornbeam saplings on the south bank of Poultney River, the northernmost of which was marked by said last-mentioned commissioners, and from which a large butternut tree bears north 70 degrees west, 38 links, a large hard maple tree, south 2 chains and 96 links, and a white oak tree on the north side of said river, north 77 degrees east.

Which said several lines from the monument erected for the southwest corner of the State of Vermont were established by said last-mentioned commissioners, and were run by them, as the magnetic needle pointed, in the year 1814, then down the said Poultney River, through the deepest channel thereof to East Bay; then through the middle of the deepest channel of East Bay and the waters thereof to where the same communicate with Lake Champlain; then through the deepest channel of Lake Champlain to the eastward of the islands called the Four Brothers, and the westward of the islands called the Grand Isle and Long Isle, or the Two Heroes, and to the west-

west of the Isle La Motte to the line in the 45th degree of north latitude, established by treaty for the boundary line between the United States and the British Dominions. (See Revised Statutes of New York, Banks & Brothers, sixth edition, Vol. I, pp. 128-132.)

This line was changed in 1876 by a cession of a small territory from Vermont to New York, described as follows, viz:

All that portion of the town of Fairhaven, in the county of Rutland, and State of Vermont, lying westerly from the middle of the deepest channel of Poultney River as it now runs, and between the middle of the deepest channel of said river and the west line of the State of Vermont as at present established. (Ratified by Congress April 7, 1880.)

MASSACHUSETTS.

The territory of Massachusetts was included in the first charter of Virginia, granted in 1606, (*Vide* Virginia p., 88) and in the charter of New England, granted in 1620, (*Vide* Maine p. 33.)

In 1628 the council of Plymouth made a grant to the governor and company of Massachusetts Bay in New England, which was confirmed by the King, and a charter was granted in 1629, of which the following are extracts:

* * * Nowe Knowe Yee, that Wee * * * have given and granted * * * all that Parte of Newe England in Amirica which lyes and extends betweene a great River there commonlie called Monomack River, alias Merrimack River, and a certen other River there, called Charles River, being in the Bottome of a certen Bay there, comonlie called Massachusetts alias Mattachusetts, alias Massatusetts Bay, and also all and singuler those Landes and Hereditament whatsoever, lying within the Space of Three Englishe Myles on the South Parte of the said River called Charles River, or of any or every Parte thereof. And also all and singuler the Landes and Hereditaments whatsoever, lying and being with the space of Three Englishe Miles to the southward of the southermost Parte of the said Baye, called Massachusetts, alias Mattachusetts, alias Massatusetts Bay—and also all those Landes and Hereditaments whatsoever, which lye and be within the space of Three English Myles to the Northward of the saide River, called Monomack, alias Merrymack, or to the Norward of any and every Parte thereof and all Landes and Hereditaments whatsoever, lyeing within the Lymitts aforesaide, North and South, in Latitude and Bredth, and in Length and Longitude, of and within all the Bredth aforesaide, throughout the Mayne Landes there from the Atlantick and Westerne Sea and Ocean on the East Parte, to the South Sea on the West Parte.

* * * Provided alwayes, That yf the said Landes * * * were at the tyme of the graunting of the saide former Letters patents, dated the Third Day of November, in the Eighteenth yeare of our said deare Fathers Raigne aforesaide, actuallie possessed or inhabited by any other Christian Prince of State, or were within the Boundes Lymitts or Territories of that Southern Colony, then before graunted by our saide late Father * * * That then this present Graunt shall not extend to any such partes or parcells thereof * * * but as to those partes or parcells * * * shal be utterlie voyd, theis presents or any Thinge therein conteyned to the contrarie notwithstanding * * *

The charter of New England was surrendered to the King in 1635. (*Vide* Plymouth Colony Laws, p. 338.)

The charter of 1629 was canceled by a judgment of the high court of chancery of England, June 18, 1684. (*Vide* C. & C., p. 942.)

In the year 1686, Pemaquid and its dependencies were annexed to the New England government. (*Vide* Maine, p. 34.)

In 1691 a new charter was granted to Massachusetts Bay, which included Plymouth Colony and the Provinces of Maine and Nova Scotia. The following are extracts from this charter:

> * * * Wee * * * doe will and ordeyne that the Territories and Collonyes Commonly called or Known by the names of the Collony of the Massachusetts Bay and Collony of New Plymouth the Province of Main the Territorie called Accadia or Nova Scotia and all that tract of Land lying betweene the said Territories of Nova Scotia and the said Province of Main be erected Vnited and Incorporated * * * into one reall Province by the Name of Our Province of the Massachusetts Bay in New England. * * *
>
> All that parts of New England in America lying and extending from the greate River comonly called Monomack als Merrimack on the Northpart and from three Miles Northward of the said River to the Atlantick or Western Sea or Ocean on the South part And all the Lands and Hereditaments whatsoever lying within the limitts aforesaid and extending as farr as the Outermost Points or Promontories of Land called Cape Cod and Cape Mallabar North and South and in Latitude Breadth and in Length and Longitude of and within all the Breadth and Compass aforesaid throughout the Main Land there from the said Atlantick or Western Sea and Ocean on the East parte towards the South Sea or Westward as far as Our Collonyes of Rhode Island Connecticutt and the Narragansett Countrey all alsoe all that part or porcon of Main Land beginning at the Entrance of Pescataway Harbour and soe to pass vpp the same into the River Newickewannock and through the same into the furthest head thereof and from thence Northwestward till One Hundred and Twenty miles be furnished and from Piscataway Harbour mouth aforesaid North-Eastward along the Sea Coast to Sagadehock and from the Period of One Hundred and Twenty Miles aforesaid to crosse over Land to the One Hundred and Twenty Miles before reckoned up into the Land from Piscataway Harbour through Newickawannock River and alsoe the North halfe of the Isles and Shoales together with the Isles of Cappawock and Nantukett near Cape Cod aforesaid and alsoe [all] Lands and Hereditaments lying and being in the Countrey and Territory comonly called Accadia or Nova Scotia And all those Lands and Hereditaments lying and extending betweene the said Countrey or Territory of Nova Scotia and the said River of Sagadahock or any part thereof And all Lands Grounds Places Soiles Woods and Wood grounds Havens Ports Rivers Waters and other Hereditaments and premisses whatsoever, lying within the said bounds and limitts aforesaid and every part and parcell thereof and alsoe all Islands and Isletts lying within tenn Leagues directly opposite to the Main Land within the said bounds. * * *

(For an account of the settlement of the boundary between the District of Maine, formerly a part of Massachusetts, see Maine, p. 35.)

The present northern boundary of Massachusetts was settled in 1741. (For history, see New Hampshire, p. 43.)

The boundary line between Massachusetts and Rhode Island was for more than two hundred years a question of dispute, and was, in some respects, the most remarkable boundary case with which this country has had to do. Twice the case went to the Supreme Court of the United States, and in one of these suits Daniel Webster and Rufus Choate were employed as counsel for Massachusetts.

As early as 1642 the line between the two colonies was marked in part by Nathaniel Woodward and Solomon Saffrey, who set up on the plain of Wrentham a stake as the commencement of the line between Massachusetts Bay and Rhode Island. This stake was by them supposed to mark a point 3 miles south of the Charles River.

The report of these commissioners has not been found, but frequent reference is made to their survey in the record of the subsequent controversies and litigations.

In 1710–'11 commissioners appointed from Massachusetts and Rhode Island agreed upon the north line of Rhode Island. The action of the commissioners was approved by the legislatures of both colonies.

The agreement was as follows, viz:

> That the stake set up by Nathaniel Woodward and Solomon Saffrey, skillful, approved artists, in the year of our Lord 1642, and since that often renewed in the latitude of 41° 55′, being 3 English miles distant southward from the southernmost part of the river called Charles River, agreeable to the letters patent for the Massachusetts Province, be accounted and allowed on both sides the commencement of the line between the Massachusetts and the colony of Rhode Island, from which said stake the dividing line shall run, so as it may (at Connecticut River) be 2¼ miles to the southward of a due west line, allowing the variation of the compass to be 9°; which said line shall forever, &c. (*Vide* Howard's Reports, S. C., Vol. 4, p. 631, *et seq.*)

In 1719 this line was run by commissioners appointed for the purpose. Subsequent investigation has shown that this line was run in a very irregular manner. (*Vide* R. I. Acts, May, 1867, page 6, *et seq.*)

The line between Massachusetts and the eastern part of Rhode Island was fixed by commissioners in 1741, from the decision of whom the colony of Rhode Island appealed to the King, who, in the year 1746, affirmed their decision by a royal decree.

The following is a record of the proceedings in council, together with the royal decree.[1]

[Council Office. Council Register. Geo. II, No. 8, p. 204.]

AT THE COURT AT KENSINGTON
the 20th day of July 1742.

Present. The Kings Most Excellent Majesty, Archbp^{d} of Canturbury, Earl of Pembroke, Lord President Earl of Winchelsea, Lord Privy Seal Earl of Grantham, Duke of Bolton, Earl of Cholmondelly, Duke of Rutland, Earl of Wilmington, Marq^{s} of Tweedale, Earl of Bath, Visco^{t} Lonsdale, Mr. Chancellor of the Exche^{qr}, Lord Delaware, Sr Charles Wager, Lord Bathurst, Sr. William Younge, Lord Monsore, Sr John Norris, Mr Speaker Thomas Winnington Esq., Mr. Vice Chamberlin, George Wade Esq.

Upon reading this day at the board the humble Petetion and appeale of the Governor and company of the English of Rhode Island and Providence Plantations in New England in America from several particular parts of the determination of the commissioners appointed by his Majesty to settle the Boundary's of the said colony Eastwards with the Province of Massachusetts Bay, and humbly praying that a day may be appointed for hearing said appeal, and that the particular parts of the said commissioners determination appealed from may be reversed, and such other determination made instead thereof as shall be agreeable to the true construction of the Boundarys contained in the Royal Charter under which the Petitioners claim, It is ordered by his Majesty in Council that the said Petition and appeal (a copy whereof is hereunto annexed). Be and it is hereby referred to the Right Honorable the Lord of the committee of council for hearing appeals from the Plantations to hear the same, and report their opinion thereupon to his Majesty at the Board.

A true copy.

I. B. LENNARD.

Collated with the original entry in the Council Register, 18 Jan'y, 1845.

ROBT. LEMON.

[Council Office. Council Register. Geo. II, No. 8 p. [illegible]]

AT THE COURT OF KENSINGTON,
the 15th day of Sept. 1742.

Present, The Kings most Excellent Majesty Archbp of Canturbury, Lord Delaware Lord Chancellor, Mr Vice Chamberlin, Duke of Richmond, Mr. Chancellor of the Exchequer, Duke of Newcastle, Harry Pelham Esq. Earl of Winchelsea, Thomas Winnington Esq Earl of Wilmington George Wade Esq. Lord Carteret.

Upon reading this day at the Board the humble Petition and appeals of His Majesty's Province of the Massachusetts Bay in New England from the determination of the commissioners appointed by His Majesty to settle the Boundary of the Colony of Rhode Island Eastwards, with the said province of Massachusetts Bay and humbly praying that a day may be appointed for hearing the said appeals and that the determination of the said commissioners may be reversed, and such other determination made instead thereof as shall be agreeable to the petioners claim exhibited before the said commissioners—It is ordered by his Majesty in council that the said petition and appeals (a copy whereof is hereunto annexed) Be and it is hereby referred to the Right Honorable the Lords of the committee in council for hearing appeals from the Plantations to hear the same and report their opinion thereupon to His Majesty at the Board.

A true copy.

I. B. LENNARD.

Collated with the original entry in the Council Registry, 18 of Jan'y, 1845.

ROBT. LEMON.

[Ordered in Council, dated 28th May, 1746. Council office. Council Register. Geo. II, No. 10, p. [illegible]]

AT THE COURT OF KENSINGTON,
the 28th day of May 1746.

Present the Kings Most Excellent Majesty in Council.

Upon reading at the Board a Report from the Right Honourable the Lord of the committee of council for hearing appeals from the Plantations dated the 11th of December 1744 in the words following vizt.

Your Majesty having been pleased by Your Order in council of the 29th of July 1742 to refer unto this committee the humble petition and appeals of the Governor and company of the English Colony of Rhode Island and Providence Plantations in New England in America, from several particular parts of the determination of the commissioners appointed by your Majesty to settle the Boundarys of said colony eastwards with the Province of Massachusetts Bay and humbly praying that the particular parts of the said commissioners determination appealed from may be reversed, and such other determinations made instead thereof, as shall be agreeable to the true construction of the Boundarys continued in the Royal Charter under which the petitioners claim—and your Majesty having been also pleased by another order in council of the 15th of September 1742, to refer unto this committee, the humble Petition and appeal of your Majesty's Province of the Massachusetts Bay in New England parts of the said determination of the said commissioners, and humbly praying that the same may be reversed and set aside and that instead thereof Your Majesty will be graciously pleased to give such judgement and determinations as shall be agreeable to the petitioners claim exhibited before the said commissioners. The Lords of the committee in obedience to your Majesty's said orders of Reference, have met several times, and taken both the said Petitions of Appeals into their consideration, and having examined into the Proceedings of the said commissioners, do find that they pronounced their judgements or determination on the 20th of June 1741 in the words following:

The court took into consideration, the charters, Deeds and other Evidences, Claims Pleas and allegations produced and made by party relating to the controversy before them and after mature advisement, come to the following Resolutions: That there is not any one Evidence proving that the Water between the Main Land on the East, and Rhode Island on the West, was ever at any time called Naraganset River, that though there be evidence that the place where the Indian called King Philip lived near Bristol, was called Pawconoket, and that another place near Swansey was called Sowams or Sowamsett, yet no evidence has been produced of the extent of the Pawconoket country to Seaconk, or Pawtucket River, as it runs to the line of the late Colony of the Massachusetts Bay, for tho' there be some evidence that the Indians at amity with King Philip, or with other Indians in amity with him, lived on the west side of the said River, and that the Indians subject to King Philip, or in amity with him, lived on the East side of the said River there is no Evidence that all the Indians subject to, or in amity with King Philip, lived in the Pawconoket Country. That the Province not having produced the Letters Patent, constituting the council of Plymouth, nor any copy thereof, the Recital of said Letters Patent in the deed from the council of Plymouth, to Bradford and his associates, is not sufficient evidence against the Kings Charter. That the council of Plymouth being a Corporation, could not create another corporation, and that no Jurisdiction within the Kings Dominions in America can be held by Prescription or on the Foot of Prescription. That the determination of the boundarys of the colony's of Rhode Island and New Plymouth by the Kings Commissioners in the year 1664 appear to have been only a temporary order for preserving the Peace on the Borders of both Colonys without determining the Rights and Titles of either. Upon the whole nothing appears whereby the Colony of Rhode Island and Providence plantations can be barred or hindered from extending their Jurisdiction Eastward towards the Province of the Massachusetts Bay according to the true intents and meaning of their charter. But some dispute having arisen between the Partys as to the true construction and meaning thereof, the court is of opinion, That the Narraganset Bay is and extendeth itself from Point Judith in the west to Seaconet Point on the East and including the Islands therein, layeth and extendeth itself unto the mouth of the River which runnith towards the town of Providence and that as it so lies or extends, it has and may be considered as having one Eastern Side at the Eastern coast of the said Bay runs up northerly from Seconets Point,—and one other North Eastern Side from near Mount Hope to Bullocks Neck, as the said Bay runs up North Westerly towards the Town of Providence and that the land adjacent to the said North Eastern and Eastern Coasts and including within the following lines and the said Bay are within the Jurisdiction of the Colony of Rhode Island; Vizt on the North East side of the said Bay—one line running from the south west corner of Bullocks Neck, Northeast three Miles. One other line running from the Northeast extremity of the said line until it be terminated by a line three miles Northeast from the northeasternmost part of the Bay on the west side of [illegible] Neck, and one other line from the termination of the west line to the Bay at or near Towoset Neck, running so that it touch the North East extremity of a line running three miles North East from the North East corner of Bristol Harbour, and on the Eastern side of the said Bay; One line from a certain point on the Eastern side of the said Bay opposite to the southernmost part of the Showamets Neck, and four hundred and forty Rods to the Southwards of the Mouth of Fall River running East three miles; One other line running from the Easternmost extremity of the said line till it be terminated by the Easternmost end of a line three miles East from the Easternmost part of a cove in the said Bay which is to the southward of Nawquaket and one other line from the termination of the last line to the sea, running on such course, as to be three miles East from the Easternmost part of the Bay adjoining to Sekohowest on Rhode Island, and that the said Distances of three miles East and Northeast, are to be measured from high Water Mark, and this court doth hereby settle, adjudge and determine, that the Eastern Boundary of the said Colony of Rhode Island and Providence Plantations, towards the Massachusetts Bay, is, shall be and runs from a certain Pointe (where a Meridian line passing through Pawtuckets Falls, cuts the South Boundary of the Colony of Massachusetts Bay), south to Pawtucket Falls, Then southerly along the eastward side of Seaconk River, and the River which runnith towards the Town of Providence, to the Southwest corner of Bullock's Neck, then Northeast three miles; and then along the aforesaid lines running at three miles distance from the Easternmost parts of the said Bay to the said Bay, at or near Towoset Neck. Then as the said Bay runs to the southernmost point of Shawmut Neck, and then in a straight line to the aforesaid point opposite to the said Neck. Then East three miles and then along the aforesaid lines, running at three miles distance from the Easternmost parts of the said Bay, to the sea. All which lines are to be run by making the proper allowance for the variation of the Magnetic Needle from the Meridian. And for the better understanding of the description of the lines before mentioned; the Court hath caused the Boundary lines of the lands adjacent to the said most eastern and Northeastern points of the said Bay, to be delineated on the Map or Plan of the said Bay and countries adjacent now in court, and the same are distinguished on the said Map or Plan, by A, B, C, D, E, F, G, H.

The Lord of the Committee having considered the whole matter and heard all partys concerned therein, by their Council learned in the Law, Do agree humbly to report to your Majesty as their opinion, That the said Judgment or determination of the said Commissioners should be affirmed, and both the Petitions of Appeal therefrom dismissed.

His Majesty this day took the said Report into consideration and was pleased with the advice of the Privy Council to approve thereof, and to order, that the said Judgment or Determination of the said Commissioners, Be, and it is hereby Affirmed And both the said Petitions of Appeal therefrom dismissed.

Whereof the Governor or the Commander in Chief of His Majesty's Province of the Massachusetts Bay, The Governor and Company of the colony of Rhode Island and Providence Plantations for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly.

A true Copy.

I B LENNARD.

Colated with the Original entry in the Council Register, 18 January, 1745.

ROBT LEMON.

Under the foregoing decree the line was run by commissioners appointed for the purpose, whose report was as follows, viz:

We, the subscribers, appointed commissioners by the general assembly of the colony aforesaid, to mark out the bounds of said colony eastward towards the province of Massachusetts Bay, agreeable to His Majesty's royal determination in council, the 28th day of May, 1746, did in pursuance thereof, on the second day of December last past, meet at Pawtucket Falls, in expectation of meeting with commissioners that might be appointed by the province of the Massachusetts Bay, for the purpose aforesaid; and after having there tarried till the afterpart of said day, and no commissioners in behalf of the said province appearing, we proceeded to run a due north line

n Pawtucket Falls to the south boundary of the aforesaid province of the Massa-
usetts Bay, in manner following, viz: From a certain point on the southern side of
wtucket Falls, where we erected a monument of stones, with a stake thereon, we run
eridian line which directly passed through said falls, to a walnut tree on the north-
y side of said falls; then to a pitch pine tree; then to a small white oak; then to
ey oak; then to a small bush; then to another small bush with stones about it;
n to a heap of stones with a stake thereon; then to a black oak tree; then to an-
er black oak; then to a small pitch pine; then to a black oak; then to a large
ite oak near the river, called Abbot's Run; then to a poplar tree; then to a heap
stones with a stake thereon; then to a large rock with stones thereon; then to a
all black oak tree; then to a walnut tree; then to a black oak; then to divers
er marked trees in the said course, to the extremity of said line; and when we
e near the termination of the said line made a monument of stones, there being
ected south boundary of the said province near the said line, and therefore, for the
covery of the south boundary of the said province, upon the best information we
ld obtain, proceeded to Wrentham Plain, at or near to a place where was formerly
cted a stake, called Woodward's and Saffery's stake, as one remarkable south
ndary of the said province, and from thence run a west line, making an allowance
eight degrees and a half as the west variation of the magnetic needle from the true
idian, it being the course of the south line of the said province, according to their
rter (as we apprehended), and then we extended the said north line from the
resaid monument till it intersected the said west line, and upon the point of its
ersection erected a monument of stones with a stake thereon, as the northeast
ndary of that tract of land commonly called the Gore.

After which we proceeded to Bullock's Neck, and on the southeast corner thereof
cted a red cedar post, marked with the letters J. H. C. R., with the figure of an
hor thereon, and from thence running a line northeast making the same allowance
the variation aforesaid, to a black oak tree marked with the letters G. C. C. R.,
n to a large white oak marked with the letters G. B. C. R., then to a white oak
t, set in the ground with a heap of stones around it, marked with the letters G. W.
R., with the figure of an anchor thereon, being three miles distant from Bullock's
k aforesaid.

After which we proceeded to the northeasternmost part of the bay on the west side
Rumstick Neck, and from a point where a locust post was erected, run a line three
es northeast, with the same allowance for the variation and at the extremity of
said line erected a monument of stones, from which we run a line to the northeast
remity of that line drawn from the southwest corner of Bullock's Neck aforesaid,
course whereof being west thirty-eight degrees north, according to the magnetic
dle, the distance of nine hundred and fifty-five rods, marking trees and making
er boundaries in the course of said line. After which we proceeded to the north-
t corner of Bristol Harbour, and from high-water mark, which was some rods dis-
t northeast from the bridge leading to Swansey Ferry, we ran a line three miles
rtheast, still making the same allowance for the variation, and at the extremity
which line we erected a monument of stones; then we ran a line from the north-
t extremity of the line drawn from Rumstick aforesaid, the course whereof being
th twenty-five degrees east, till it met with the termination of the line drawn from
istol Harbour aforesaid, the distance whereof being nine hundred and twenty-seven
s; and from thence to a straight line to the bay at Towoset Neck, making proper
ndaries in the course of said line.

After which we proceeded to the eastern side of the Narragansett Bay, and on the
ternmost part of a cove in the said bay, which is southward of Nanequachet, ran a
e three miles east (still making the same allowance for variation), at the extremity
ereof we marked a grey oak tree with the letters C. R., with the figure of an anchor
reon.

After which we proceeded to the mouth of Fall River, and from thence measured four hundred and forty rods southerly on the shore, as the said shore extendeth itself from the mouth of said Fall River, and from the point where the said four hundred and forty rods reached, being east thirty-five degrees south of the southernmost point of Showamet Neck, we ran a line three miles east, with the same allowance for the variation; in the course whereof we marked divers trees, and came to a large pond, on the west of which was a small oak between two large rocks, and from thence measured over the said pond to a bunch of maples, two whereof we marked with the letters I and P, standing on a place called Ralph's Neck, being the extremity of the said three miles; from thence we ran a line south twenty degrees west, two thousand one hundred and twenty-three rods (making proper boundaries in said line), till we met the termination of the three-mile line, run from the cove southward of Nanaquaket aforesaid.

After which we proceeded to a place called Church's Cove, in said bay, and ran a line three miles east, making the same allowance for the variation aforesaid, and at the extremity whereof, and near the sea, we erected a monument of stones, and from thence ran a line north two degrees and a quarter east, one thousand and nine hundred and forty-one rods, till it also met the termination of the said line, drawn from the first mentioned cove as aforesaid, making proper boundaries in the course of said line.

The aforegoing is a just account of our proceedings, and report the same accordingly.

J. HONEYMAN, JR.
GEORGE WANTON.
GIDEON CORNELL.
GEORGE BROWN.

And it is voted and resolved, That the said report be, and it is hereby, accepted by this assembly.

In the year 1748 the legislature of Rhode Island appointed commissioners to continue the line to the Connecticut River, recognizing the Woodward and Saffrey stake as the place of beginning. Massachusetts failed to appoint commissioners, whereupon the Rhode Island commissioners proceeded to complete the running of the line. In their report they say—

That we not being able to find any stake or other monument which we could imagine set up by Woodward and Saffrey, but considering that the place thereof was described in the agreement mentioned in our commission, by certain invariable marks, we did proceed as followeth, namely: We found a place where Charles River formed a large current southerly, which place is known to many by the name of Poppatalich Pond, which we took to be the southernmost part of said river, from the southernmost part of which we measured three English miles south, which three English miles did terminate upon a plain in a township called Wrentham. (See Howard's Reports S. C., vol. 4, page 594).

From this point they ran the line. From this time forward repeated steps were taken by Rhode Island by resolutions, and by appointment of commissioners at different times to ascertain and run the line, in connection with commissioners from Massachusetts; commissioners from both colonies met more than once, but they failed to agree upon a boundary in place of that established under the agreements of 1711–'18. Rhode Island alleged a mistake in her commissioners, in the place of beginning (that is, on Wrentham Plain), as the ground of these efforts.

This controversy, however, embraced the entire line from the State of

Connecticut to the Atlantic Ocean. Massachusetts asserted that an encroachment had been made on her territory from Burnt Swamp Corner to the ocean by Rhode Island, who, on her part, claimed that the jurisdictional line of Massachusetts from said corner to the Connecticut line was, in its whole extent, upon the territory of Rhode Island. The legislatures of the respective States having failed, after repeated effort, to adjust the controversy, Rhode Island in 1832, by a bill in equity, brought the subject of the northern boundary, from Burnt Swamp Corner to the Connecticut line, before the Supreme Court of the United States, which in 1846 decided that the jurisdictional line claimed by Massachusetts was the legal boundary of the two States between these points.

While this suit was pending an attempt was made to settle the long controversy by an amicable adjustment of the whole line from Connecticut to the ocean. Commissioners were appointed by both States in 1844 to ascertain and mark the true boundary from Pawtucket Falls to Bullock's Neck. In 1845 the same commissioners were authorized to ascertain the line from Burnt Swamp Corner to the Atlantic Ocean.

In 1846, the equity suit having been decided, they were authorized "to erect suitable monuments at the prominent angles of the line, from the Atlantic Ocean to the northwest corner of Rhode Island, and at such other points on the line as may subserve the public convenience." A majority of said commissioners agreed upon a line and erected monuments in 1847.

The report of the joint commission was dated Boston, January 13, 1848.

The line so agreed upon as a boundary between Burnt Swamp Corner and the northwest corner of Rhode Island was a straight line, varying a little from the irregular jurisdictional line established by the decision of the Supreme Court, and is described in the joint report of the majority of the commissioners of January, 1848, as follows, viz:

> Begin at the northwest corner of Rhode Island, on Connecticut line, in latitude 42° 00' 29" north, and longitude 71° 47' 25" west of Greenwich, thence easterly in a straight line 21.512 miles to Burnt Swamp Corner, in Wrentham, being in latitude 42° 01' 08" and longitude 71° 22' 13".

Upon this line were placed twenty-seven monuments, exclusive of that at Burnt Swamp Corner.

The general assembly of Rhode Island, in May, 1847, ratified and established the line from the ocean to the Connecticut line, "to take effect and become binding whenever the said agreement and boundary line should be ratified by the State of Massachusetts." The legislature of Massachusetts did not ratify the said agreement and boundary line, but proposed another joint commission, which was agreed to.

The attempt made by these commissioners to settle the line having failed, Massachusetts commenced a bill in equity before the Supreme Court of the United States for an adjudication of the boundary line from Burnt Swamp Corner to the Atlantic Ocean.

In 1860 both States agreed upon a conventional line, and asked that a decree of the United States Supreme Court should confirm the same, which prayer was granted, and the line was thus finally established by a decree rendered in the December term, 1861, which is as follows, viz:

Beginning at Burnt Swamp Corner (so called), in Wrentham, in latitude 42° 01' 08" north, longitude 71° 22' 13" west of Greenwich, being the northeasterly corner of Rhode Island.

Thence in a straight line to the center of a stone monument in the division line, between Attleborough and Pawtucket, on the easterly bank of the Blackstone River, being in latitude 41° 53' 36" north, longitude 71° 22' 14" west.

Thence easterly, by the northerly line of the town of Pawtucket, to a point where said line intersects the highest water mark on the easterly side of Farmer's or Seven Mile River, which point is shown on accompanying sheet marked "A," and designated as "Bound No. 1," being in latitude 41° 53' 54" north, longitude 71° 20' 43" west.

From Bound No. 1 the line runs southerly, following the highest water mark on the easterly side of Farmer's or Seven Mile River, as designated in said sheet marked "A," to its junction with the highest water mark on the southerly and easterly side of Ten Mile River, at a point designated as "Bound No. 2."

From Bound No. 2 the line runs southerly, following the highest water mark on the southerly and easterly side of said Ten Mile River, as shown on sheet marked "A," to a point designated as "Bound No. 13," said last point being at the most southerly bend of Ten Mile River in said line of highest water mark.

The line of "highest water mark" as shown on sheet A is defined by offsets at right angles to straight lines shown on said plan in blue ink, from Bound No. 1, and passing through points designated as bounds numbered 2 to 13, inclusive.

From Bound No. 13 the line runs southeasterly, being a straight line to the center of a stone pier in the middle of Runnin's River, on the north side of the road leading by Luther's store.

Thence through the center or middle of said Runnin's River as the same is at low water at a point where such line intersects the dividing line between Barrington and Seekonk, being in latitude 41° 46' 20", longitude 71° 19' 53".

Thence northeasterly, following the dividing line between Barrington and Seekonk, to a point at the northerly extremity of the dividing line between Barrington and Swansey, in latitude 41° 36' 34", longitude 71° 19' 30".

Thence in a straight line southeasterly to the center of a copper bolt in King's Rock, so called and well known, near an ancient monument on said King's Rock, being on the west side of the road leading from Warren to Swansey. This point is in latitude 41° 45' 22".98, longitude 71° 16' 35".73.

From King's Rock the line follows the dividing line between Warren and Swansey to Mount Hope Bay, running in a straight line southeasterly to a point on the Birch Swamp Farm, in latitude 41° 43' 08", longitude 71° 15' 53".5.

Thence in a straight line to Mount Hope Bay, passing through the center of a copper bolt in a bowlder, in line of extreme high water at Touisset, to low-water line of said bay. This bolt is in latitude 41° 42' 45".37, longitude 71° 13' 54".79.

From Touisset the line runs southeasterly, crossing Mount Hope Bay, to the westerly end of line dividing Fall River and Tiverton, where the same intersects low-water line of said Mount Hope Bay.

Thence easterly, following said dividing line between Fall River and Tiverton, passing through the middle of a town way on the north side of farm belonging to John Chace, and through the southerly end of Cook's Pond, in a line passing through the middle of a highway, eight rods wide.

Thence running southerly through the center of said eight-rod highway to a point in line with the stone wall on northerly side of farm of Edmund Estes. This wall is easterly of the Stafford road (so called.)

Thence running easterly in line with said wall to a point in line of highest water mark on the westerly shore of South Watuppa Pond, which point is shown on accompanying sheet marked "B," and designated as "Bound A."

From Bound A the line runs southerly, following the highest water mark on westerly side of South Watuppa Pond, and of Sawdy Pond, and of the streams connecting said ponds, as shown on said sheet marked "B," to a point designated as "Bound F," said last point being at the most southerly end of Sawdy Pond in said line of highest water mark.

The line of "highest water mark" as shown on sheet B is defined by offsets at right angles to straight lines from Bound A, and passing respectively through points designated "B" to "F," inclusive, and on the South Watuppa Pond is also the line that would be traced by a level thirteen inches above a bolt in stone work on westerly side of waterway in gate-house of reservoir dam of Watuppa Reservoir Company, Quequechan River. On Sawdy Pond the highest water mark is the line that would be traced by the level of an iron bolt driven in west side of flume to sawmill at northerly end of said Sawdy Pond.

From Bound F the line runs southeasterly, being a straight line to the monument known as "Joe Sanford's bound," being the center of a copper bolt in stone on land of Joseph Tripp, and is in latitude 41° 35′ 37″ longitude 71° 08′ 13″.

From Joe Sanford's bound the line runs southerly, following the westerly line of the town of Westport to the Atlantic Ocean, passing easterly of Quicksand Pond through the center of a bound known as Peaked Rock, situated in latitude 41° 29′ 58″, longitude 71° 07′ 34″.

The first point in this line southerly of Sanford's bound is on the north side of mill-dam at Adamsville, 55.56 feet easterly of straight line from Sanford's to Peaked Rock.

The second is 112.94 feet easterly of said straight line, and is on the easterly side of road leading from Adamsville to the ocean.

The third is 224.48 feet east of said straight line, on the road leading to Little Compton, by Philip Simmons' house.

The whole of the line thus described is shown on a plan herewith presented, which, with Sketches A and B, is made a part of this report and attested.

It will be observed that the above decree of the United States Supreme Court makes no reference to the line from Burnt Swamp Corner to the Connecticut line.

It will also be remembered (vide p. 55) that the "line of 1848," so called, was ratified by Rhode Island and rejected by Massachusetts. In 1863 the legislature of Massachusetts took action in regard to this portion of the line, as follows, viz:

Resolved, That the boundary line between the State of Rhode Island and the Commonwealth of Massachusetts, from the line of the State of Connecticut to Burnt Swamp Corner, begins at the northwest corner of the State of Rhode Island on the Connecticut line, in latitude 42° 00′ 29″ north, and longitude 74° 48′ 18″ west of Greenwich,* and runs in a straight line 21 and [illegible] miles to Burnt Swamp Corner, in Wrentham, being in latitude 42° 1′ 8″ and longitude 71° 23′ 13″.

This is the line agreed upon by the commissioners, called the "line of 1848," ratified at the time by Rhode Island, but rejected by Massachusetts.

The tardy ratification of the line by Massachusetts was, in its turn, rejected by Rhode Island, on the ground that the then recent settlement of the eastern boundary by the decree of the Supreme Court had so changed the aspect of the controversy that she could not consent to the adoption of the line of 1848 as her northern boundary.

---

*This is a clerical error. "Longitude 74° 48′ 18″" should read "longitude 71° 48′ 29″." (Vide Borden's Tables, p. 64).

Thus the northern boundary of Rhode Island was left in abeyance, or rather left in the condition prescribed by the decision of 1846.

In June, 1880, the legislature of Rhode Island passed a resolution to remove the monuments of the "line of 1848" and erect monuments on the jurisdictional line.

In 1881 the legislature of Massachusetts took like action.

This jurisdictional line has the same termini as the line of 1848, but is a very irregular line, sometimes running north of a direct line and sometimes falling south of it [the extreme variations being 529.3 feet north of the line of 1848, and 129 feet south of the same.] A full and detailed description may be found in Rhode Island acts, May, 1887, p. 6 *et seq.*

Also, *vide* Senate Document No. 14, Massachusetts, 1848, for a full account of this controversy.

In 1713, commissioners from the Province of Massachusetts Bay and Colony of Connecticut settled a line between Massachusetts and Connecticut.

By this line certain northern frontier towns were given to Massachusetts, viz: Woodstock, Suffield, Enfield, and Somers. In 1749 the legislature of Connecticut passed a resolution that, inasmuch as the line had not been approved by the King, and that the two colonies had no legal right to transfer territory without the confirmation of the Crown, the contract was void, and these towns were again taken under the jurisdiction of Connecticut. Massachusetts appealed to the King, and the claims of Connecticut were fully established. (See Hollister's History of Connecticut, Vol. II.)

In 1791 Massachusetts and Connecticut appointed commissioners to establish the boundary between them, but they were unable to agree.

In 1803 commissioners were appointed to complete the line, a compromise having been made concerning the line between the town of Southwick and the towns of Suffield and Granby (the cause of the disagreement of the former commissioners).

The agreement made was as follows, viz:

> That the line should begin from a station 8 rods south of the southwest corner of West Springfield, and thence run west to the large ponds, and thence southerly by those ponds to the ancient south line of Westfield, and from thence on said south line to the ancient southwest corner of Westfield; and from thence northerly in the ancient west line of Westfield to the station in said west line made by commissioners in the year 1714, and from thence to the southwest corner of Granville. (See Mass. Special Laws, Vol. III, page 234.)

In 1803 the commissioners surveyed and marked the boundary between their respective States.

Their report, which was adopted, is as follows, viz:

Beginning at the northeast corner of Suffield and the southeast corner of West Springfield, on the west bank of Connecticut River, at a point 75 links northward of the center of a small valley running into said river, said point being between a small butternut tree, marked M. C., standing on the south, and a small crooked white oak, marked M., standing on the north, about two feet distant from each other, and thence run north 69° 40' west 1 chain to a stone monument erected by us there; in the same course 22 chains 25 links to a stone monument on the stage road from Springfield to Suffield, and said course continued would pass two feet north of Smith's house; thence north 69° west 69 chains 3 links to a stone monument on the middle road from Suffield to Springfield; then in the same course 12 chains 30 links to a large black or red oak tree, marked on the east side C., and on the west side M., being an ancient bound; thence north 77° 4' west 134 chains 62 links to a stone monument on the road from Feeding Hills meeting-house to Suffield; thence in the same course 4 chains 21 links to a pine stump—an old monument; thence north 79° 45' west 162 chains 80 links to a stone monument on the road from Westfield to Suffield, called the back street; thence north 81° 30' west 61 chains 20 links to a stone monument at an old stump and stones, the ancient southwest corner of West Springfield; thence south 5° west 2 chains to a stone monument in the line run by commissioners in 1714; thence north 89° west 167 chains 23 links to a stone monument at the middle pond, 22 links east of low-water mark, being at the center of a little valley running into said pond; thence on the eastern shore of said pond, as the same runs southerly, to a sluice way or outlet from said pond to the south pond; thence southerly on the east shore of the south pond as the same runs to a stone monument at high-water mark on the south corner of said pond, being the south end of the most southerly bay thereof, from which the point of land beyond the bay on the east side of the pond bears north 29° east, and the high point beyond the bay on the west side of the pond is north 3° 30' east; then south 10° 27' west 24 chains 78 links to a stone monument at the southeast corner of Southwick, in the ancient south line of Westfield, from which the highest peak of Manatick Mountain bears south 42° 30' west; thence south 87° 30' west 38 chains 86 links to a heap of stones in a hedge, being an ancient monument in the south line of Westfield and the northwest corner of Suffield, adjoining Granby; thence in said ancient south line of Westfield the same course to a stone monument at a white oak stump, an old monument, the southwest corner of Southwick, being 174 chains 36 links; thence north 10° 29' east 212 chains 84 links to a stone monument erected by us, at a place in the ancient west line of Westfield, where commissioners in 1714 established the monument called the Crank monument; thence north 89° 17' west 137 chains to a stone monument erected by us at the east road from Granby to Granville; in this course, at the distance of 86 chains 20 links from the Crank monument, we passed between two pillars of stones 45 links south of one and 13 links north of the other, both said to be the southeast corner of Granville; thence on the same course 61 chains 40 links to a stone monument erected by us on the Granby turnpike road; thence in the same course 44 chains to a white-oak[*] tree, marked by commissioners in 1717, and which we marked M on the north side and C, 1803, on the south side; thence north 84° 24' west 5 chains 13 links to a stone monument erected by us on the west road from Granby to Granville; thence in the same course 200 chains 37 links to a white elm stump and stones on the west bank of Valley Brook, so-called, a monument, made by commissioners in 1717 in this course three monuments are mentioned by said commissioners, which we do not find; thence north 85° 7' west 66 chains 15 links to a stone monument erected by us at a new road near the east bank of Hubbard River; thence the same course 9 chains to dry hemlock tree with stones about it on the west side of said river near a small fall and a rock on the east side of said river stooping towards it more than 2 rods to a monument erected by said former commissioners; thence north 88° 58' west 169 chains 35 links to a stone monument* erected by us on the road from Granville to Hartland; thence the same course 275 chains 91 links to a large heap of stones on the west bank of Slocum Brook between two hemlock trees, having many ancient and modern marks thereon, being a monument made by said former commissioners; in this course, the commissioners of 1717 made mention of a large hemlock tree, and a very large white-oak tree which we do not find; thence north 81° 56' west 93 chains 74 links to a stone monument erected by us on the Beech-hill Road, so-called; thence in the same course 225 chains to a stone monument erected by us at a heap of stones about an elm tree standing on the west bank of Sandy Brook, a monument made by said former commissioners, who mentioned in their report a monument in this course, which we do not find; thence north 88° 11' west 387 chains 30 links to a stone monument erected by us on the road from Marlborough to Norfolk; thence same course 38 chains 98 links to a monument made by said former commissioners on the west bank of Whiting River, near falls, being a heap of flat stones on a large rock; thence north 89° 9' west 219 chains to a stone monument at the end of Greenwood Turnpike road; in this course said former commissioners marked two trees, which we do not find; thence in the same course 161 chains 75 links to a stone monument at the Burrell Road, so-called, leading from Canaan to Sheffield; thence in the same course 49 chains to an elm tree, with stones near it, on the east bank of Housatonic River, about six rods west from a chestnut stump and stones, a monument made by said former commissioners, who also marked a white oak tree in this course which we not find; thence north 88° 59' west 20 chains 50 links to a stone monument erected by us at the road leading from Salisbury to Sheffield, called Wetany Road; thence in the same course 119 chains 50 links to a stone monument erected by us at the road from Salisbury to Sheffield, near Ebenezer Fletcher's house; thence on the same course 211 chains 35 links to a stone monument erected by us at the mountain road from Salisbury to Sheffield; thence on the same course 26 chains 4 links to a monument established by said former commissioners at the foot of the mountain, being a heap of stones on a large rock, 20 links long on the northeasterly side, 5 feet high on the southerly side, and which we marked 1803 on the southerly side; thence north 88° 30' west 167 chains 29 links to a stone monument erected by us on the road from Salisbury to Mount Washington; thence on the same course 81 chains, 80 links to a large heap of stones, the oblong corner bounds, so-called between the State of Connecticut and New York.

---

[*] Oak-tree boundary at Granville, marked in 1717.

* * * * * * *

The courses of said line as before given, and here by us are according to the present state of Magnetic needle, which we observed to vary 5° west of north. (See Private Laws of Conn., vol. 2, pages 1540 to 1544.)

ABSTRACT OF REPORT OF COMMISSION OF 1803 ON BOUNDARY BETWEEN MASSACHUSETTS AND CONNECTICUT WEST OF THE CONNECTICUT RIVER.

Beginning at a point on the west bank of Connecticut River, in latitude 42° 01' 59".10, longitude 72° 37' 03".46, and running north 89° 45' west 23 chains 25 links; thence north 88° west 86 chains 33 links; thence north 77° 4' west 138 chains 63 links; thence north 79° 46' west 103 chains 60 links; thence north 81° 30' west 61 chains 20 links; thence south 5° west 2 chains; thence north 85° west 167 chains 33 links to a stone monument at the middle pond, 22 links east of low-water mark, latitude 42° 03' 11", longitude 72° 45' 45".07; thence southerly along the east shore of said pond, and also south pond, to a stone monument at high-water mark, at the south corner of said south pond; thence south 10° 30' west 34 chains 78 links to a stone monument at southeast corner of Southwick, which is in latitude 42° 00' 11".93, longitude 72° 48′ 24″.33; thence south 87° 20′ west 208 chains 22 links to a stone monument at the southwest corner of Southwick, which is in latitude 41° 59′ 51″.82, longitude 72° 49′ 25″.47; thence north 10° 20′ west 212 chains 84 links, to a stone monument at the northwest corner of the Southwick Jog, which is in latitude 42° 02′ 19″.30, longitude 72° 49′ 13″.51; thence north 82° 17′ west 242 chains 40 links to a white oak tree, marked by commissioners in 1717, which is in latitude 42° 02′ 15″.84, longitude 72° 52′ 47″.74; thence north 84° 24′ west 205 chains 50 links; thence north 86° 7′ west 68 chains 15 links; thence north 89° 52′ west 109 chains 35 links to a stone monument in latitude 42° 02′ 17″.03, longitude 72° 58′ 22″.52; thence north 89° 22′ west 275 chains 91 links; thence north 81° 45′ west 70 chains; thence north 81° 50′ west 328 chains 74 links to a stone monument, which is in latitude 42° 02′ 31″.11, longitude 73° 07′ 35″.94; thence north 89° 11′ west 365 chains 50 links; thence north 88° 6′ west 420 chains; thence north 88° 58′ west 140 chains to a stone monument on the road from Salisbury to Sheffield, which is in latitude 42° 02′ 58″.11, longitude 73° 22′ 55″.27; thence north 82° 58′ west 239 chains 39 links; thence north 86° 30′ west 232 chains to the northwest corner of Connecticut, which is in latitude 42° 02′ 58″.54, longitude 73° 30′ 06″.06.

---

* Boundary stone in west front of Granville.

According to the survey of the cession of Boston Corners, by Massachusetts to New York, in 1855, the south boundary of Massachusetts from the northwest corner of Connecticut to the southwest corner of Massachusetts is as follows, viz:

A line running north 89° 08′ 4″ west, 40 chains, by the true meridian.

The courses of the line of 1803 are magnetic, with the variation as at that date: *i. e.*, 5° west.

The latitudes and longitudes in the foregoing are taken from the Borden Trigonometrical Survey of Massachusetts of 1843.

In 1826, the line between Massachusetts and Connecticut east of the Connecticut River was run by commissioners appointed from each State. An abstract of the commissioners' report is here given:

Abstract of report of commissioners of 1826.—The commissioners first made the following survey: Commencing at the northeast corner of Connecticut, at a large pile of stones erected by commissioners of 1734; thence running due west on the latitude of 42° 3′ north to the west line of Woodstock, 15 miles 160 rods 15 links. (This is hereafter referred to as the "first line of latitude.") Thence north 3° west 54 rods 19 links to an old pine tree, the reputed northeast corner of Union; thence due west 25 miles 168 rods to Connecticut River. (This line is hereinafter referred to as the "second line of latitude," and the second line of latitude is 54 rods north of the first.) These lines of latitude were compared with the ancient survey, monuments, evidence, etc., of the line run by the commissioners of 1713; the said lines of latitude were found to vary in sundry places therefrom. Therefore, in order to conform as near as possible to the line of 1713, the line was run as follows, viz:

Beginning at the northeast corner of Connecticut and running west on "first line of latitude" 1,702 rods and 4 links to the road to the Merino road; thence in a direct line 1,372 rods 20 links to the road leading from Muddy Brook, so called, by Pennel May's to Southbridge; this point is 21 rods 19 links north of the "first line of latitude"; thence in a direct line 360 rods 5 links to the Norwich and Woodstock turnpike (this point is 20 rods and 5 links north of "first line of latitude"); thence in a direct line 954 rods 18 links to the road leading from West Woodstock by Abel Mason's to Southbridge (this point is 10 rods and 22 links north of "first line of latitude"); thence in a direct line 1,247 rods to the road leading from Union by Asher Bodgen's to Holland (this point is 2 rods 14¼ links south of "second line of latitude"); thence in a direct line 1,127 rods to the turnpike from Hertford through Stafford and Holland to Worcester (this point is 6 rods 23¼ links south of the "second line of latitude"); thence in a direct line 467 rods to an old white-oak tree, an ancient bound, on the road from Stafford by Robert Andrus' to South Brimfield (this point is 1 rod 2 links south of "second line of latitude"); thence in a direct line of 1,615 rods to the road leading from Stafford by Henry Cady's to Monson (this point is 16 rods 15 links south of "second line of latitude)"; thence in a direct line 256 rods to the Tracy road (this point is 12 rods 12 links south of "second line of latitude)"; thence in a direct line 620 rods to the road leading from Stafford by Seth Sheldon's to South Wilbraham (this point is 14 rods 7 links south of "second line of latitude"); thence in a direct line 1,066 rods to the road from Somer's by Walter Ainsworth's to Springfield (this point is 4 rods 1 link *north* of "second line of latitude"); thence in a direct line 523 rods to the road from Somer's by Abel Pease's to Springfield (this point is 6 rods 12 links south of the "second line of latitude"); thence *due west* 645 rods to the ancient line between Springfield (now Long Meadow) and Enfield; thence *south* 80° 30′ *west* by the true meridian 645 rods to a monument at an old oak stump; thence *south* 51° 30′ *west* by the true meridian 164 rods 18 links to a monument at an old pine stump; thence *due west* 349 rods 15 links to a monument on the Connecticut River 12 rods from the shore; thence due west to Connecticut River. On the line are erected 49 monument stones, marked on the north side M and on the south side C.

The commissioners also surveyed and marked the line from the the corner of Connecticut to the corner of Rhode Island, reporting as follows:

> Beginning at the monument erected at the northeast corner of said State of Connecticut and running in a direct line to the ancient heap of stones on the north side of the turnpike leading from Hertford to Boston through Thompson and Douglass, where we erected a monument, and thence running in a direct line to the northwest corner of the State of Rhode Island.

(For survey of 1826, see Private Laws of Conn., vol. 2, pages 1544 to 1550.)

The boundary between Massachusetts and New York at an early period became a subject of bitter dispute, New York claiming to the west bank of the Connecticut River under the charters of 1664 and 1674 to the Duke of York, Massachusetts claiming under her old charters to the South Sea. After many fruitless attempts at a settlement, an arrangement was entered into in 1773 fixing the western boundary of Massachusetts where it meets New York territory. The Revolution following soon after, the line was not run. In 1785 Congress appointed three commissioners to run the line, who performed that duty in 1787. The line was as follows, viz:

> Beginning at a monument erected in 1731 by commissioners from Connecticut and New York, distant from the Hudson River 20 miles, and running north 15° 12′ 9″, east 50 miles 41 chains and 79 links, to a red or black oak tree marked by said commissioners, which said line was run as the magnetic needle pointed in 1787. (*Vide* Revised Statutes of New York, 1875, p. 132.)

The claims of Massachusetts to western lands were finally settled December 16, 1786, by a joint commission of the two States. By this agreement Massachusetts surrendered the sovereignty of the whole disputed territory to New York, and received in return the right of soil and pre-emption right of Indian purchase west of the meridian passing through the eighty-second mile-stone of the Pennsylvania line, excepting certain reservations upon Niagara River. The title to a tract known as "The Boston Ten Towns," lying east of this meridian, previously granted by Massachusetts, was also confirmed. (*Vide* Hough's N. Y. Gaz., 1872, pp. 25, 26.)

April 19, 1785, Massachusetts executed a deed to the United States. It included all title of the State of Massachusetts to territory west of the present western boundary of New York.

In 1820 Maine, hitherto a part of Massachusetts, was admitted into the Union as an independent State.

In 1853 a small portion of territory in the southwestern corner of Massachusetts, known as Boston Corner, was ceded to New York, and the cession confirmed by Congress in 1855.

The cession of Boston Corner to New York changes the boundary, so that it is now as follows, viz:

Beginning at a monument erected in 1731 by commissioners from Connecticut and New York (known as the Connecticut monument), standing in the south boundary of Massachusetts, latitude 42° 02′ 58″.54, longitude 73° 30′ 06″.66, which is the northwest corner of the State of Connecticut; thence along the south boundary of Massachusetts, north 89° 03′ 41″ west, 40 chains; thence north 12° 57′ 16″ west 207.49[*] chains to a marble post marked on the east side M. B., on the west side N. Y., and on the south side 1853, which is in the line run by United States commissioners in 1787; thence north 15° 12′ 9″ east on the line run by said United States commissioners ([*]47 miles 73.70[*] chains) to a red or black oak tree marked by said United States commissioners, in the south boundary of the State of Vermont, latitude 42° 44′

---

[*] This distance has been obtained by subtracting the length of the west line of Boston Corner given in survey of 1853 from the entire length of west boundary of Massachusetts as given by the United States commissioners in 1787.

45″.33, longitude 73° 16′ 17″.68. [See Revised Statutes of New York, 1875, page 122; also plat of survey of Boston Corner in 1853, a copy of which is on file in office of clerk of House of Representatives at Washington, D. C.; also, for latitudes and longitudes, see tables of Borden's Survey of Massachusetts, 1843.]

Latitude and longitude of certain points on the boundary line of Massachusetts. (From Borden's Trigonometrical Survey, 1843.)

States.	Stations.	Latitude.	Longitude.
		° ′ ″	° ′ ″
Vermont and Massachusetts.	*Northwest corner	[illegible]	73 16 17.[illegible]
	Rowe and Whitingham Station in Vermont line	42 44 15.46	72 53 07.[illegible]
	Leyden and Guilford Station in Vermont line	42 43 55.79	72 36 [illegible].07
New Hampshire and Massachusetts.	Warwick (N. H.) State line station	42 42 22.01	72 19 [illegible]
	Watatic State line station in Ashburnham (Mass.).	42 [illegible] 41.[illegible]	71 54 [illegible]
	Pepperell (N. H.) State line station	42 42 13.29	71 36 22.[illegible]
	Pine Tree boundary, State line at Dracut (Mass.)	42 41 [illegible].79	71 19 [illegible]
	Poplar Hill State line boundary, New Hampshire line at Methuen.	42 44 12.60	71 15 [illegible].73
	Ayers Hill State line boundary at Haverhill, Mass.	42 48 [illegible]	71 04 11.[illegible]
	Brandy Brow Hill, State line corners of Haverhill and Amesbury, Mass.	42 50 [illegible].01	71 03 04.17
	Salisbury Marsh Station	42 52 19.[illegible]	70 48 [illegible].11
Connecticut and Massachusetts.	*Southwest corner of Massachusetts	42 02 [illegible]	73 31 42.[illegible]
	Connecticut line bound at Mount Washington	42 03 [illegible]	73 30 [illegible]
	Boundary stone in Connecticut line on road from Sheffield to Salisbury.	42 03 [illegible].11	73 23 [illegible].27
	Boundary stone in Connecticut line on road from Southfield to Colebrook.	42 02 21.11	73.07 25.04
	Boundary stone in Granville, in west part of town.	42 02 17.02	73 05 [illegible]
	Oak tree boundary in Connecticut State line at Granville, marked in 1717.	42 03 15.84	72 59 47.44
	Boundary stone at northwest corner of Southwick Jog.	42 03 12.[illegible]	72 49 12.51
	Boundary stone at southwest corner of Southwick Jog.	41 [illegible] 01.[illegible]	72 49 [illegible].47
	Boundary stone at southeast corner of Southwick Jog.	42 00 11.[illegible]	72 46 [illegible]
	Boundary stone at northeast corner of Southwick Jog.	42 02 11.[illegible]	72 46 [illegible].07
	Boundary stone in Connecticut line on west side of Connecticut River.	42 01 [illegible].16	72 37 [illegible]
	Boundary stone in Connecticut line on east side of Connecticut River.	42 01 28.74	72 36 [illegible]
	Rattlesnake Mountain in Connecticut line at Wilbraham.	42 01 [illegible]	72 24 [illegible]
	High Rocky Ridge, Connecticut line, in Monson	42 01 [illegible]	72 21 07.[illegible]
	Monson line station in Monson	42 01 [illegible]	72 18 [illegible]
	Northeast corner of Connecticut at Douglas	42 01 26.21	71 48 [illegible]
Rhode Island and Massachusetts.	Northwest corner of Rhode Island at Douglas	42 00 [illegible].48	71 48 18.07
	Burnt Swamp corner, northeast corner of Rhode Island.	42 01 [illegible]	71 23 12.[illegible]
	Munroe's Station, Rhode Island State line at Seekonk.	41 46 24.54	71 19 22.[illegible]
	Kinge Rock Station, Rhode Island State line at Warren.	41 45 [illegible]	71 16 [illegible].75
	Towasset Neck Station, in Rhode Island, State line at Swansey.	41 43 46.27	71 13 54.[illegible]
	Joe Sandford's Station, Rhode Island State line at Tiverton.	41 33 37.06	71 08 12.78
	Quicksand Pond, State line boundary stone in Rhode Island line at Westport.	41 29 [illegible].04	71 07 [illegible]

These positions require a correction of from 15″ to 20″ in order to make them conform to modern determinations of position.

---

*This corner was changed by the cession of Boston Corner by Massachusetts to New York in 1855.

RHODE ISLAND.

The present State of Rhode Island was settled by Roger Williams d other immigrants, who left Massachusetts Bay and established emselves at Providence in 1636.

In 1643 a patent was granted for the Providence Plantation, from hich the following are extracts, viz:

* * * * * * *

> and whereas there is a tract of land in the continent of America aforesaid, called by e name of the Narraganset Bay, bordering northward and northeast on the patent of e Massachusetts, east and southeast on Plymouth patent, south on the ocean, and on e west and northwest by the Indians called Nariggansnucks, alias Narragansets, the hole tract extending about 25 English miles unto the Pequot River and country; and ereas divers English inhabitants of the towns of Providence, Portsmouth, and wport, in the tract aforesaid, * * * have represented their desire, * * * we * * do * * * give, grant, and confirm to the aforesaid inhabitants of the wns of Providence, Portsmouth, and Newport a free and absolute charter of incor- ation, to be known by the name of the incorporation of Providence Plantations, in e Narraganset Bay, in New England. * * *

In 1663 Charles II granted a charter to Rhode Island and Providence antations, of which the following is an extract:

> * * "All that parte of our dominiones in New-England, in America, conteyneing e Nahantick and Narragansett Bay, and countryes and partes adjacent, bounded on e west, or westerly, to the middle or channel of a river there, commonly called and own by the name of Pawcatuck, alias Pawcawtuck river, and soe along the sayd er, as the greater or middle streame thereof reacheth or lyes upp into the north untrye, northward, unto the head thereof, and from thence, by a streight lyne awn due north untill itt meets with the south lyne of the Massachusetts Collony; d on the north, or northerly, by the aforesayd south or southerly lyne of the Massa- usetts Collony or Plantation, and extending towards the east, or eastwardly, three glish miles to the east and north-east of the most eastern and north-eastern parts the aforesayd Narragansett Bay, as the sayd bay lyeth or extendeth itself from the ean on the south, or southwardly, unto the mouth of the river which runneth to- ards the towne of Providence, and from thence along the eastwardly side or banke the sayd river (higher called by the name of Seacunck river), up to the falls called tuckett falls, being the most westwardly lyne of Plymouth Collony, and soe from e sayd falls, in a straight lyne, due north, untill itt meet with the aforesayd line the Massachusetts Collony; and bounded on the south by the ocean." And in par- ular, the lands belonging to the townes of Providence, Pawtuxet, Warwicke, Mis- ammack, alias Pawcatuck, and the rest upon the main land in the tract aforesayd gether with Rhode Island, Blocke Island, and all the rest of the islands and banks the Narragansett Bay and bordering upon the coast of the tracts aforesaid (Fish- Island only excepted). * * *

(For history of the northern and eastern boundaries see Massa- usetts, p. 48.)

In 1703 substantially the present western boundary was settled by agreement made between the commissioners from the two colonies Rhode Island and Connecticut, viz: "A straight line from the mouth of Ashawoga River to the southwest corner of the Warwick purchase, and thence a straight north line to Massachusetts.

The line of 1703 was actually run by Rhode Island, and is still known as the Dexter and Hopkins line.

The two colonies disagreeing, Rhode Island appealed to the King, and the agreement of 1703 was finally established in 1726.

In September, 1728, commissioners from the two colonies met and ran the line.

(For agreement of 1703 and 1728, decisions of English council, etc., see R. I. Hist. Soc. Coll., Vol. III.)

In 1839 commissioners were appointed by Rhode Island and Connecticut to survey and ascertain the line and erect monuments.

The following line was established, viz:

> Beginning at a rock near the mouth of Ashawoga River, where it empties into Pawcatuck River, and from said rock a straight course northerly to an ancient stone heap at the southeast corner of the town of Voluntown, and from said rock southerly in the same course with the aforesaid line, until it strikes Pawcatuck River. From the southeast corner of Voluntown a straight line to a stone heap at the southwest corner of West Greenwich; from thence a straight line to the southwest corner of the ancient town of Warwick, and which is now a corner of the towns of Coventry and West Greenwich; from thence a straight line to the northwest corner of the town of Coventry; thence a straight line to the northeast corner of Sterling; thence a straight line to the southwest corner of Burrillville, and thence a straight line to a stone heap upon a hill in the present jurisdictional line between the States of Massachusetts and Rhode Island, and at all of said corners, excepting said Warwick corner, we have erected monuments of stone, marked R. I. and C., and have also placed similar monuments on all the principal roads crossing the line, and at other suitable places.
>
> * * * * * * *
>
> And we have caused the ancient monument which was erected at the Warwick corner in November, 1746, to be reset and a large heap of stones to be made around it. Said monument is marked with the letter C. on one side, and on the other RHODE ISLAND and the traces of other letters and figures. [Extract from Commissioner's Report. See R. I. Acts and Resolves, Jan. 1846, pages 12, 13, 14.]

The above was ratified in 1846.

CONNECTICUT.

The title by which the people of Connecticut held the country was founded on the old patent granted by Robert, Earl of Warwick, in 1631, to Lord Say and Seal, Lord Brook, Sir Richard Saltonstall, and others, associated under the name of the Plymouth Company.

In 1630 the Plymouth Council made a grant of Connecticut to the Earl of Warwick, their president. This was confirmed by King Charles in 1631, and on the 19th of March, in the same year, the Earl conveyed his title to the Plymouth Company, as before stated. (Dwight's Conn., p. 19, *et seq.*)

charter was granted by Charles II to Connecticut in 1662, of which following is an extract, viz:

* * * * * * *

* * * do give, grant and confirm unto the said Governor and Company, and successors, all that part of our Dominions in New England in America bounded east by Narraganset River, commonly called Narraganset Bay, where the said falleth into the sea, and on the north by the line of the Massachusetts planta- and on the south by the sea; and longitude as the line of the Massachusetts y, running from east to west, that is to say, from the said Narraganset Bay on ast, to the south sea on the west part, with the islands thereunto adjoining. * *

* * * * * * *

[C. and C., p. 256-7.]

revious to this time the two colonies of Connecticut and New Haven continued separate, but under this charter they were united and charter was accepted April 20, 1665. (C. and C., p. 262.)

e Duke of York having been granted a charter in 1664, by which lands west of the Connecticut River were embraced in his jurisdic- , the question of boundary immediately arose.

bout this time Col. Richard Nichols, George Cartwright, esq., Sir ert Carr, and Samuel Maverick, esq., had been appointed commis- ers by the King, and clothed with extraordinary powers, to determine controversies in the colonies. The matter was referred to them, who, a full hearing, determined that the southern boundary of Connect- was the sea (Long Island Sound), and its western, Mamaroneck r, and a line drawn north-northwest from the head of salt water in Massachusetts. The territory south and west of these lines was lared to belong to the Duke of York. (*Vide* Dwight's Connecticut, 152 *et seq.*)

his decision, in effect, decided upon a line 20 miles east of the Hud- River as the boundary, having for a starting point a place on Ma- oneck River.

n 1674 the Duke of York received a new charter in substantially the e terms as that of 1664. New controversies concerning jurisdiction to a new agreement, by which it was stipulated that a tract of land Long Island Sound, the bounds of which were described as con- ning 61,440 acres, should be permanently set off to Connecticut by York on condition that the former, in exchange, should set off to York a territory of like extent and of uniform width from the tract the Sound to the south line of Massachusetts. This agreement was ctioned by a royal ordinance of the King, and in 1684 the tract on Sound was surveyed and set off to Connecticut.

he western boundary of Connecticut was run in 1685 by Major ald, Mr. Barr, and Mr. Selleck, and ratified by both parties. (*Vide* ight's Connecticut, p. 196.)

or various reasons the survey of the equivalent lands was not made that time.

n 1725 commissioners were appointed on both sides to fix the line, this being the fifth set appointed for the same purpose, none of which had been able to come to an agreement.

The commissioners of 1725, however, entered into articles of agreement settling the manner of the survey. They, however, ran only the line bounding the tract on Long Island Sound.

For some cause action was then suspended until 1731, when the commissioners of 1725 surveyed and set off the oblong or equivalent territory to New York, defining and marking its boundary, which was to remain forever the dividing line between the respective States (then colonies). The line was substantially as at present, and is as follows, viz:

"Beginning at Lyon's Point, in the mouth of a brook or river called Byram River, where it falls into Long Island Sound, and running thence up along said river to a rock at the ancient road or wading-place in said river, which rock bears north twelve degrees and forty-five minutes east, five hundred and fifty rods from said point; then north twenty-three degrees and forty-five minutes west, two thousand two hundred and ninety-two rods; then east-northeast, thirteen miles and sixty-four rods, which lines were established in the year one thousand seven hundred and twenty-five, by Francis Harrison, Cadwallader Colden, and Isaac Hicks, commissioners on the part of the then province of New York, and Jonathan Law, Samuel Eells, Roger Wolcott, John Copp, and Edmund Lewis, commissioners on the part of the then colony of Connecticut, and were run as the magnetic needle then pointed; then along an east-northeast continuation of the last-mentioned course, one mile, three-quarters of a mile, and twenty-one rods, to a monument erected in the year one thousand seven hundred and thirty-one by Cadwallader Colden, Gilbert Willett, Vincent Matthews, and Jacobus Bruyn, jr., commissioners on the part of said province, and Samuel Eells, Roger Wolcott, and Edmund Lewis, commissioners on the part of said colony, which said monument is at the southeast corner of a tract known and distinguished as the oblong or equivalent lands; then north twenty-four degrees and thirty minutes west, until intersected by a line run by said last-mentioned commissioners, on a course south twelve degrees and thirty minutes west, from a monument erected by them in the south bounds of Massachusetts, which monument stands in a valley in the Taghkanick Mountains, one hundred and twenty-one rods eastward from a heap of stones in said bounds, on the top or ridge of the most westerly of said mountains; then north twelve degrees and thirty minutes east from a monument erected by said last-mentioned commissioners at said place of intersection, and standing on the north side of a hill, southeasterly from the southernmost end of the long pond, along the aforesaid line to the aforesaid monument erected in the south bounds of Massachusetts—being the northeast corner of the oblong. (See Revised Statutes of N. Y., 1881, Vol. I, pages 129-9.)

For more than a century no controversy arose, but subsequent to 1850 questions of jurisdiction were raised, and in 1855 Connecticut made a proposition for a new survey. Several sets of commissioners were appointed, but no agreement being reached, finally, in 1860, pursuant to an act of the legislature of New York, the line was run by the New York commissioners, Connecticut not being represented.

The first section of the act of the New York legislature is as follows, viz:

1. The commissioners appointed by the governor to ascertain the boundary line between the States of New York and Connecticut are hereby empowered and directed

survey and mark, with suitable monuments, the said line between the two States fixed by the survey of 1731.

The following is an abstract of the engineer's report of the line run der direction of the commissioners from New York, the Connecticut mmissioners declining to be present or assist, viz:

Beginning at the northwest corner of Connecticut, at the monument ected by the commissioners of New York and Connecticut in 1731, latitude 42° 02′ 58″.54, longitude 73° 30′ 06″.06; thence south 11° 20′ west, chains, to the [1]47th mile monument; thence south 12° 34′ west, 230 hains, 57 links, to the 44th mile monument point; thence south 11° 33′ est, 160 chains 99 links, to the 42d mile monument; thence south 13° ′ west, 161 chains 24 links, to the 40th mile monument point; thence uth 12° 21′ west, 398 chains 31 links, to the 35th mile monument; hence south 12° 32′ west, 158 chains 95 links, to the 33d mile monument; thence south 11° 44′ west, 243 chains 37 links, to the 30th mile monument; thence south 12° 27′ west, 161 chains 32 links, to the 28th ile monument; thence south 10° 59′ west, 160 chains, to the 26th mile monument point; thence south 11° 30′ west, 320 chains 11 links, to the 22d ile monument; thence south 12° 18′ west, 163 chains 17 links, to the 0th mile monument; thence south 11° 49′ west, 160 chains 9 links, to e 18th mile monument; thence south 12° 19′ west, 157 chains 15 links, the 16th mile monument; thence south 10° 11′ west, 161 chains links to the 14th mile monument; thence south 10° 51′ west, 318 chains links, to the 10th mile monument point; thence south 12° 24′ west, 5 chains 71 links, to the 8th mile monument; thence south 10° 19′ west, 0 chains 28 links, to the 6th mile monument point; thence south 12° ′ west, 164 chains 42 links, to the 4th mile monument; thence south ° 44′ west, 158 chains 90 links, to the 2-mile monument; thence south ° 10′ west, 109 chains 41 links, to the Ridgefield angle monument;[2] thence south 25° 8′ east, 213 chains 30 links, to the 4th mile monument n the east line of the oblong between the Wilton and Ridgefield angles; thence south 24° 49′ east, 157 chains 63 links, to the 2-mile monument; thence south 24° 14′ east, 167 chains 26 links, to the Wilton angle monument, or southeast corner of the oblong as set off by the commissioners of 1731; thence south 67° 45′ west, 138 chains 76 links, to the southwest corner of the oblong, and being where the survey of 1725 terminated; thence south 65° 44′ west, 90 chains 87 links, to a point considered the original 12th mile monument point; thence south 66° 56′ west, 1 chains 93 links, to a point called the 9th mile monument; thence south 66° 47′ west, 319 chains 12 links, to the 5th mile monument point; thence south 66° 25′ west, 398 chains 40 links, to the angle at the Duke's

---

[1] The mile monuments referred to are those, at that time remaining, which were established by the Connecticut and New York commissioners of 1731.

[2] The entire distance from the Massachusetts line to Ridgefield angle is 52 miles 25 rods, a difference of only 5 rods from the survey of 1731.

Trees; thence south 33° 20′ east, 172 chains 93 links, to a point which is west-southwest and distant 33 rods from the chimney in the old Clapp house; thence south 24° 31′ east, 224 chains 78 links, to a point opposite the old William Anderson house; thence south 24° 19′ east, 173 chains 7 links, to the great stone at the ancient wading place on Byram River; thence south 17° 45′ west, 12 chains 69 links, to a rock in the river which can be seen at low tide, in which there is a bolt; thence south 21° west, 35 chains 10 links; thence south 7° 20′ east, 13 chains 45 links; thence south 12° 10′ east, 16 chains 13 links; thence south 2° 40′ east, 9 chains 4 links; thence south 28° 20′ east, 9 chains 54 links; thence south 18° 40′ east, 4 chains 77 links; thence south 11° 50′ west, 6 chains 33 links; thence south 35° 10′ west, to where it falls into the sound. (See report of the commissioners to ascertain and settle the boundary line between the States of New York and Connecticut, February 8, 1861, in which will also be found a complete account of this controversy.)

The latitude and longitude of the northwest corner of Connecticut are taken from Borden's Trigonometrical Survey of Massachusetts.

In 1879 commissioners were appointed by Connecticut and New York. Their report was ratified in 1880.

These commissioners reported as follows, viz:

We agree that the boundary on the land constituting the western boundary of Connecticut and the eastern boundary of New York shall be and is as the same was defined by monuments erected by commissioners appointed by the State of New York, and completed in the year 1860, the said boundary line extending from Byram Point, formerly called Lyon's Point, on the south, to the line of the State of Massachusetts on the north.

And we further agree that the boundary on the sound shall be and is as follows:

Beginning at a point in the center of the channel, about 600 feet south of the extreme rocks of Byram Point, marked No. 0, on appended United States Coast Survey chart; thence running in a true southeast course 3⅛ statute miles; thence in a straight line (the arc of a great circle) northeasterly to a point 4 statute miles due south of New London Light-House; thence northeasterly to a point marked No. 1, on the annexed United States Coast Survey chart of Fisher's Island Sound, which point is on the longitude east three-quarters north, sailing course down on said map, and is about 1,000 feet northerly from the Hammock or North Dumpling Light-House; thence following said east three-fourths north sailing course as laid down on said map, easterly to a point marked No. 2 on said map; thence southeasterly to a point marked No. 3 on said map; so far as said States are coterminous. (See Revised Statutes of New York, 1881, Vol., 1, page 138.)

The above agreement concerning these boundaries between Connecticut and New York was confirmed by the Congress of the United States on February 26, 1881. (See Revised Statutes of United States, 1881.)

(For the history and present location of the eastern boundary of Connecticut, vide Massachusetts, p. 55, and Rhode Island, p. 65. For the northern boundary, vide Massachusetts, p. 52.)

Under the charter of 1662 Connecticut claimed a large western territory. Subsequent to the Revolution, however, in 1786, 1792, 1795, and 1800, she relinquished all title to any land west of her present boundary.

NEW YORK.

The territory included in the present State of New York was em- raced in the French and English grants of 1603 and 1606. The Dutch, owever, in 1613 established trading posts on the Hudson River and laimed jurisdiction over the territory between the Connecticut and Del- ware Rivers, which they called New Netherlands. The government s vested in "The United New Netherland Company," chartered in 16, and then in "The Dutch West India Company," chartered in 1621. In 1664 King Charles II of England granted to his brother, the Duke York, a large territory in America, which included, with other lands, l that tract lying between the west bank of the Connecticut River nd the east bank of the Delaware. The Duke of York had previously rchased, in 1663, the grant of Long Island and other islands on the ew England coast, made in 1635 to the Earl of Stirling, and in 1664, ith an armed fleet, he took possession of New Amsterdam, which was enceforth called New York. This conquest was confirmed by the eaty of Breda, in 1667.

The following is an extract from the grant of 1664 to the Duke of ork:

All that parte of the maine land of New England beginning at a certaine place lled or knowne by the name of St. Croix next adjoyning to New Scotland in Amer- a and from thence extending along the sea coast unto a certain place called Petu- ine or Pemaquid and so up the River thereof to the further head of ye same as it endeth northwards and extending from thence to the River Kinebequi and so up- ards by the shortest course to the River Canada northward and also all that Island Islands commonly called by the severall name or names of Matowacks or Long sland scituate lying and being towards the west of Cape Codd and ye narrow Hig- ansetts abutting upon the maine land between the two Rivers there called or knowne y the severall names of Conecticutt and Hudsons River together also with the said ver of Hudsons River and all the land from the west side of Conecticutt to ye east de of Delaware Bay and also all those severall Islands called, or knowne by the ames of Martin's Vinyard and Nantukes otherwise Nantuckett together with all ye nds islands soyles harbours mines mineralls quarryes woods marshes waters lakes ishings hawking hunting and fowling and all other royalltyes proffitts commodi- yes and hereditaments to the said severale Island lands and premises belonging and ppertaining with theire and every of theire appurtenances, and all our estate right itle interest benefitt advantage claime and demand of in or to the said lands and remises or any part or parcell thereof and the reversion and reversions remainder and emainders together with the yearly and other ye rents revenues and proffitts of all nd singular the said premises and of every part and parcell thereof to have and to old all and singular the said lands Islands hereditaments and premises with their nd every of their appurtenances.

In July, 1673, the Dutch recaptured New York and held it until it as restored to the English by the treaty of Westminster, in February, 1674.

The Duke of York thereupon, to perfect his title, obtained a new grant, in substantially the same terms as that of 1664 (C. and C., p. 1320), of which the following is an extract, viz:

* * * * * * *

> All that part of the main land of New England, beginning at a certain place called or known by the name of Saint Croix next adjoining to New Scotland in America, and from thence extending along the sea-coast unto a certain place called Petuaquin or Pemaquid, and so up the river thereof to the farthest head of the same as it windeth northward and extending from the river of Kinebeque and so upwards by the shortest course to the river Canada northwards; and all that island or islands commonly called by the several name or names of Matowacks or Long Islands, situate and being toward the west of Cape Cod and the narrow Higansets abutting upon the main land between the two rivers there called or known by the several names of Connecticut and Hudson Rivers, together also with the said river called Hudson's River, and all the lands from the west side of Connecticut River to the east side of Delaware Bay; and also all those several islands called or known by the names of Martin's Vinyard and Nantukes, otherwise Nantuckett.

* * * * * * *

By these grants to the Duke of York and the conquest of the Dutch possessions in America, it will be seen that New York originally had a claim to a much larger territory than is now included in her limits. The successive changes in her extent may be sketched as follows, viz:

In 1664 the Duke of York sold the present State of New Jersey to Lord John Berkeley and Sir George Carteret.

In 1682 the Duke of York sold to William Penn his title to Delaware and the country on the west bank of the Delaware, which had been originally settled by the Swedes, then conquered by the Dutch, and which had by them been surrendered to the Duke of York.

In 1686 Pemaquid and its dependencies were annexed to the New England government by a royal order, the Duke of York having acceded to the throne of England.

By the charter of 1691 to Massachusetts Bay, all claim to any part of Maine was extinguished, and the islands of Nantucket, Martha's Vineyard, and others adjacent (hitherto known as Duke's County, New York), were annexed to Massachusetts Bay.

The territory west of the Connecticut River to within about 20 miles of the Hudson River, now forming portion of Massachusetts and Connecticut, were, by agreements and concessions made at various periods, surrendered to these States respectively.

[*] In 1781 New York released to the General Government all the lands to which she had claim west of a meridian extending through the west extremity of Lake Ontario, and in 1790 she gave up all claim to the present State of Vermont and consented to her independence.

By these successive reductions New York was left with substantially her present boundaries.

(For the history and settlement of the eastern boundary of New York, vide Vermont, Massachusetts, and Connecticut, ante pp. 46, 62, and 67.)

The northern boundary was settled by the treaty of peace in 1783

[*] See Report of Regents of the University on the boun
of the State of N. Y. p. 11.
Journals of Cong IV p 2 & Franklin's Works IV 324-79

by the commission under the sixth article of the treaty of Ghent. y pp. 10 and 12.)

e boundary between New York and New Jersey was plainly stated e grant by the Duke of York to Berkeley and Carteret. (*Vide* New ey, p. 76.)

1719 attempts were made to have the line run and marked, but ing seems to have been done to settle the matter permanently till , when commissioners were appointed by the King, who fixed on stantially the present line. (*Vide* R. S. N. J., 1821, pp. 22–24.)

1772 this line was confirmed by the legislatures of both colonies, commissioners were appointed to survey and mark the same.

is line was as follows, viz:

irect and straight line from the fork or branch formed by the junction of the m or waters called the Mahackamack with the river Delaware or Fishkill, in atitude of 41° 21′ 37″, to a rock on the west side of the Hudson River, marked by id surveyors in the latitude of 41°—said rock was ordered to be marked—with following words and figures, viz: "Latitude 41° north;" and on the south side of "New Jersey"; and on the north side thereof "New York"; also, to mark y tree that stood on the line with five notches and a blaze on the northwest and east sides thereof, and to put up stone monuments, at 1 mile distance from each , along the said line, and to number such monuments with the number of miles; same shall be from the before-mentioned marked rock on the west side of Hudson's , and mark the words "New Jersey" on the south side, and the words "New " on the north side, of every of the said monuments. (See R. S. of N. J., 1821, -24.)

he above was confirmed by the king in council September 1, 1773.

the year 1833 commissioners were appointed by New York and Jersey for the settlement of the territorial limits and jurisdiction he two States.

the following year the commissioners made the following agreet, which was ratified by each State and confirmed by Congress, viz:

TED STATES STATUTES AT LARGE. TWENTY-THIRD CONGRESS, SESSION I. 1834.

ACT giving the consent of Congress to an agreement or compact entered into between the State New York and the State of New Jersey, respecting the territorial limits and jurisdiction of said ates.

RTICLE FIRST. The boundary line between the two States of New York and New sey, from a point in the middle of Hudson River, opposite the point on the west e thereof, in the forty-first degree of north latitude, as heretofore ascertained, and rked, to the main sea, shall be the middle of the said river, of the bay of New k, of the waters between Staten Island and New Jersey and of Raritan Bay, to the in sea; except as hereinafter otherwise particularly mentioned.

RTICLE SECOND. The State of New York shall retain its present jurisdiction of d over Bedloe's and Ellis's Islands, and shall also retain exclusive jurisdiction of d over the other islands lying in the waters above mentioned and now under the isdiction of that State.

RTICLE THIRD. The State of New York shall have and enjoy exclusive jurisdiction of and over all the waters of Hudson River lying west of Manhattan Island and to the th of the mouth of Spuytenduyvel Creek; and of and over the lands covered by the d waters to the low-water mark on the westerly or New Jersey side thereof; subject to the following rights of property and of jurisdiction of the State of New Jersey, that is to say:

1. The State of New Jersey shall have the exclusive right of property in and to the land under water lying west of the middle of the bay of New York, and west of the middle of that part of the Hudson River which lies between Manhattan Island and New Jersey.

2. The State of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks, and improvements made and to be made on the shore of the said State; and of and over all vessels aground on said shore, or fastened to any such wharf or dock, except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers, of the State of New York, which now exist or which may hereafter be passed.

3. The State of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of said waters: *Provided*, That the navigation be not obstructed or hindered.

ARTICLE FOURTH. The State of New York shall have exclusive jurisdiction of and over the waters of the Kill Van Kull between Staten Island and New Jersey to the westernmost end of Shooter's Island in respect to such quarantine laws, and laws relating to passengers, as now exist or may hereafter be passed under the authority of that State, and for executing the same; and the said State shall also have exclusive jurisdiction, for the like purposes, of and over the waters of the sound from the westernmost end of Shooter's Island to Woodbridge Creek, as to all vessels bound to any port in the said State of New York.

ARTICLE FIFTH. The State of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten Island and New Jersey lying south of Woodbridge Creek, and of and over all the waters of Raritan Bay lying westward of a line drawn from the light-house at Prince's Bay to the mouth of Mattavan Creek; subject to the following rights of property and of jurisdiction of the State of New York, that is to say:

1. The State of New York shall have the exclusive right of property in and to the land under water lying between the middle of the said waters and Staten Island.

2. The State of New York shall have the exclusive jurisdiction of and over the wharves, docks, and improvements made and to be made on the shore of Staten Island, and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers of the State of New Jersey which now exist or which may hereafter be passed.

3. The State of New York shall have the exclusive right of regulating the fisheries between the shore of Staten Island and the middle of said waters: *Provided*, That the navigation of the said waters be not obstructed or hindered.

* * * * * * *

In 1876 commissioners were appointed to re-locate the land boundary between New York and New Jersey, and replace monuments that may have become dilapidated or removed, or to erect new ones, etc. (*Vide* Rev. of N. J., 1877.)

The above commissioners found in some cases a slight discrepancy between the original marks and the verbal description thereof, and the legislatures of each State ordered that the original monuments should be considered the true boundary. (*See* acts of New York, 1880, and acts of New Jersey, 1881.)

In the year 1774 commissioners were appointed by New York and Pennsylvania to fix the beginning of the 42d degree of north latitude the Mohawk or western branch of Delaware River, which is the rtheast corner of Pennsylvania, and to proceed westward and fix the e between Pennsylvania and New York.

These commissioners reported in December of the same year that ey fixed the said northeast corner of Pennsylvania, and marked it as llows, viz:

On a small island in the said river they planted a stone marked with the letters d figures, New York, 1774, cut on the north side thereof; and the letters and fig- s, latitude 42° variation 4° 20', cut on the top thereof; and in a direction due st from thence on the west side of the said branch of Delaware, collected and ced a heap of stones at the water mark; and proceeding further west four perches, nted another stone in the said line marked with the letters and figures, Pennsyl- nia, 1774, cut on the south side thereof, and the letters and figures, latitude 42° riation 4° 20', cut on the top thereof, and at the distance of eighteen perches due st from the last-mentioned stone marked an ash tree. The rigor of the season pre- nted them running the line farther.

Nothing further seems to have been done until 1786–7, when com- issioners were appointed to finish the work thus begun (see Cary & ioren's Laws of Pennsylvania, Vol. III, page 392), and the lines were n and monuments erected. The line was ratified in 1789, and is as llows, viz:

Beginning at a point in Lake Erie, where the boundary line between the United States and Great Britain is intersected by a meridian line drawn through the most westerly nt or inclination of Lake Ontario; then south along said meridian line to a monument n the beginning of the forty-third degree of north latitude, erected in the year one thousand seven hundred and eighty-seven, by Abraham Hardenbergh and William W. Morris, commissioners on the part of this State, and Andrew Ellicott and Andrew Porter, commissioners on the part of the State of Pennsylvania, for the purpose of mark- ng the termination of the line of jurisdiction between this State and the said State f Pennsylvania; then east along the line established and marked by said last-men- tioned commissioners to the ninetieth mile-stone in the same parallel of latitude, erected in the year one thousand seven hundred and eighty-six, by James Clinton and Simeon DeWitt, commissioners on the part of this State, and Andrew Ellicott, commissioner on the part of Pennsylvania; which said ninetieth mile-stone stands on the western side of the south branch of the Tioga River; then east along the line established and marked by said last-mentioned commissioners, to a stone erected in the year one thousand seven hundred and seventy-four, on a small island in the Delaware River, by Samuel Holland and David Rittenhouse, commissioners on the part of the colonies of Pennsylvania and New York, for the purpose of marking the beginning of the forty-third degree of north latitude; then down along said Delaware River to a point opposite to the fork or branch formed by the junction of the stream called Mahackamack with the said Delaware River, in the latitude of forty-one degrees, twenty-one minutes and thirty-seven seconds north; then in a straight line to the termination on the east bank of the Delaware River of a line run in the year one thousand seven hundred and seventy-four, by William Wickham and Samuel Gale, commissioners on the part of the then colony of New York, and John Stevens and Walter Rutherford, commissioners on the part of the then colony of New Jersey. (See Revised Statutes of New York, 1881.)

The meridian line forming the western boundary of New York was surveyed and mapped in 1790 by Andrew Ellicott, as United States commissioner (Pa. Archives, Vol. XII—Map), and the latitude formerly inscribed on the monument on Lake Erie, fixing the western boundary, was 42° 16' 19''. The report of the commissioners has not been found.

In 1865 Dr. Peters, director of Hamilton College Observatory, under the directions of the Regents of the University of New York, determined the latitude and longitude of the boundary monument aforesaid, with the following result: Latitude, 42° 16' 2''.3; longitude, 79° 45' 54''.4. (*Vide* Dr. Peters' Report, 1865.)

In 1877 the parallel of the forty-second degree north latitude was ascertained at four points, by the New York and Pennsylvania Joint Boundary Commission, with the following result, viz:

1. At Travis Station (Hale's Eddy), very near the east end of that part of the New York and Pennsylvania line supposed to be on the forty-second parallel, the old line was found to be 275 feet north of the parallel.

2. At Finn's Station, about 20 miles from east end (Great Bend), the line is 350 feet south of the parallel.

3. At Burt's Station, about 70 miles from east end (Wellsburg), the line is 700 feet north of the parallel.

4. At Clark's Station, about 203 miles from east end (Wattsburg), the line is 150 feet north of the parallel.

(See pamphlet, Report of Penn. Board of the Penn. & N. Y. Joint Boundary Comm.)

NEW JERSEY.

Although the original grants from the French and English sovereigns of 1603 and 1606 covered the territory forming the present State of New Jersey, the grant which first directly relates to New Jersey is that given in 1664 by the Duke of York to Lord John Berkeley and Sir George Carteret, two months before the setting out of his expedition to take possession of New York.

The following extract from that grant defines the boundaries, viz:

> All that tract of land adjacent to New England, and lying and being to the westward of Long Island and Manhitas Island, and bounded on the east part by the main sea and part by Hudson's River, and hath upon the west Delaware Bay or river, and extendeth southward to the main ocean as far as Cape May, at the mouth of Delaware Bay, and to the northward as far as the northernmost branch of the said bay or river of Delaware, which is forty-one degrees and forty minutes of latitude, and crosseth over thence in a strait line to Hudson's River in forty-one degrees of latitude; which said tract of land is hereafter to be called by the name or names of New Caeserea or New Jersey. (*Vide* Grants, Concessions, etc., of New Jersey, Leaming & Spicer, p. 8.)

In March, 1673, Lord Berkeley sold his undivided moiety of New Jersey to John Fenwick, by whom, in the following year, it was again sold. July 1, 1676, was executed the famous "Quintipartite deed," by which the eastern part was given to Sir George Carteret, to be called East New Jersey, and the western part to the other proprietors, to be called West New Jersey. Sir George Carteret, at his death in 1678, left his land to be sold. It was sold in 1682 to the twelve proprietors, who admitted other partners.

Confirmation grants were made to the proprietors of both provinces by the Duke of York, and confirmed by the King, but between 1697 and 1701 the proprietors repeatedly made petitions to be allowed to surrender their right of government to the Crown. Accordingly, in 1702, the surrender was made and accepted by the Queen, and both parts united were made the province of New Jersey. (*Vide* Leaming and Spicer's grants, etc.)

(For the history of the northern and eastern boundary, vide New York, p. 73.)

The grant from the Duke of York to Berkeley and Carteret defined the west boundary of New Jersey to be the Delaware River. (*Vide* p. 76.)

The line between New Jersey and Delaware is thus described in the Revised Statutes of Delaware, p. 2, viz:

> Low-water mark on the eastern side of the river Delaware, within the twelve-mile circle from New Castle and the middle of the bay, below said circle.

In 1876 the legislature of New Jersey authorized the governor to commence a suit in the Supreme Court of the United States to settle the boundary between New Jersey and Delaware. New Jersey claimed jurisdiction to the middle of the Delaware, so far as the river and bay is a boundary between the two States. (*Vide* Revision of New Jersey, p. 1185.)

In 1783 Commissioners were appointed by New Jersey and Pennsylvania to settle the jurisdiction of the river Delaware and the islands within the same. Their report was ratified, and is in substance as follows:

First. It is declared that the river Delaware from the station point or northwest corner of New Jersey, northerly to the place upon the said river where the circular boundary of the State of Delaware touches upon the same, in the whole length and breadth thereof, is and shall continue to be and remain a common highway, equally free and open for the use, benefit, and advantage of the said contracting parties, etc.

Second. That each State shall enjoy and exercise a concurrent jurisdiction within and upon the water, and not upon the dry land between the shores of said river, etc.

Third. That all islets, islands, and dry land within the bed and between the shores of said river, and between said station point northerly and the falls of Trenton southerly, shall, as to jurisdiction, be hereafter deemed and considered as parts and parcels of the State to which such insulated dry land doth lie nearest at the time of making this agreement, and that from said falls of Trenton to the State of Delaware southerly, certain islands (in the agreement they are named B) be annexed to each State respectively. (*Vide* Revision of New Jersey, p. 1181.)

In 1786 commissioners were appointed by New Jersey and Pennsylvania for more accurately determining and describing the islands mentioned in the foregoing agreement; that is, those in the Delaware from the northwest corner of New Jersey down to the falls of Trenton. Their report was ratified, and a long list of islands, described by name in the act, were annexed to each State respectively. (*Vide* Revision of New Jersey, pp. 1182–'3.)

PENNSYLVANIA.

The Swedish West India Company, chartered by the King of Sweden in 1626, established the first permanent settlement on the west bank of the Delaware, occupying a part of the territory now in Pennsylvania and Delaware, although the Dutch had previously established trading posts, which had been destroyed by the Indians. The Swedes acquired, by successive purchases from the Indian chiefs, all the land extending from Cape Henlopen to the great falls of the Delaware, calling it New Sweden. (*Vide* C. and C., p. 1509.)

In 1655 this territory was surrendered to the Dutch. (*Vide* Hazard's Annals of Pennsylvania, p. 185.)

By the conquest of the New Netherlands, in 1664, the Duke of York seems to have successfully claimed the settlements on the west bank of the Delaware as a part of his dominions.

In 1681 Charles II of England granted to William Penn the Province of Pennsylvania. The following extract from the charter defines the boundaries:

> * * * * all that Tracte or Parte of Land in America, with all the Islands therein conteyned, as the same is bounded on the East by Delaware River, from twelve miles distance Northwards of New Castle Towne unto the three and fortieth degree of Northerne Latitude, if the said River doeth extende so farre northwards; But if the said River shall not extend soe farre Northward, then by the said River soe farr as it doth extend; and from the head of the said River the Easterne Bounds are to bee determined by a Meridian Line, to bee drawne from the head of the said River, unto the said three and fortieth degree. The said Lands to extend westwards five degrees in longitude, to bee computed from the said Easterne Bounds; and the said Lands to bee bounded on the North by the beginning of the three and fortieth degree of Northern Latitude, and on the South by a Circle drawne at twelve miles distance from New Castle Northward and Westward unto the beginning of the fortieth degree of Northern Latitude, and thence by a straight Line Westward to the Limitt of Longitude above mentioned.

William Penn, in order to perfect his title, procured of the Duke of York a deed bearing date August 21, 1682, by which the Duke of York conveyed to him all title and claim which he might have to the province of Pennsylvania. (*Vide* Hazard's Annals of Pa., 588 *et seq.*)

Ie also purchased of the Duke of York the territory now compris-
the State of Delaware, which he held until 1701–'2, when he granted
harter which enabled them to set up a separate government, though
l under proprietory control. (*Vide* C. and C., p. 270 et seq.)

For a history of the northern and eastern boundaries of Pennsylva-
, see New York and New Jersey, pp. 71 and 76.]

That part of the southern boundary of Pennsylvania between Penn-
vania and Delaware is an arc of a circle, having for its center the
eple of the old court-house at New Castle, Del., and a radius of 12
les. This was surveyed and marked under a warrant from William
in 1701. (*Vide* Hazard's Annals of Pennsylvania.)

This circular line, in connection with adjacent lines, was made the
bject of controversy for many years.

According to the original grants of Pennsylvania and Maryland the
undary between them was to be the fortieth degree of north latitude.
This line being found to pass north of Philadelphia and to exclude
nnsylvania from Delaware Bay, negotiations ensued between the
oprietors to rectify this geographical blunder, and for nearly a cen-
y the matter remained unsettled.

In the year 1732 an agreement was made to fix the boundary. Com-
ssioners were appointed in that year, and subsequently in 1739, to run
e line, but they failed to agree, and chancery suits were the result.
king a decision of Lord Chancellor Hardwick in 1750 as a basis of
al adjudication, an agreement was signed July 4, 1760. By this
reement the line between Pennsylvania and Delaware on the one
rt and Maryland on the other was determined as follows, viz:

A due east and west line should be run across the peninsula from
pe Henlopen to the Chesapeake Bay. From the exact middle of
s line should be drawn a line tangent to the western periphery of a
cle, having a radius of 12 English statute miles, measured horizon-
lly from the center of the town of New Castle. From the tangent
int a line should be drawn due north until it cut a parallel of latitude
miles due south of the most southern part of the city of Philadelphia,
s point of intersection to be the northeast corner of Maryland; thence
e line should run due west on said parallel as far as it formed a boun-
ry between the two governments. (*Vide* Delaware, p. 81.)

In 1760 commissioners and surveyors were appointed, who spent three
ars in measuring the base line and the tangent line between Maryland
d Delaware.

The proprietors then, wearied with the delay, sent over from England
o famous mathematicians, Charles Dixon and Jeremiah Mason, who
rified the work of their predecessors, and ran the line west between
nnsylvania and Maryland, since known as "Mason and Dixon's line."
Mason and Dixon fixed the latitude of this line at 39° 43' 18". A
survey in 1849 by Colonel Graham determined it to be 39° 43' 26".3.

Mason and Dixon began their work in 1763, and were stopped by Indians in 1767, having run the line about 244 miles west of the Delaware, not quite finishing their work. They put up mile-stones all along said line, every fifth one being marked with the arms of the respective proprietors.

In consequence of the accidental removal of the stone at the northeast corner of Maryland, commissioners were appointed in 1849 by Pennsylvania, Delaware, and Maryland to revise the former survey, which was done by Lieutenant-Colonel Graham, of the United States topographical engineers. The result confirmed the work of Mason and Dixon, and Maryland gained by the resurvey a little less than two acres.

(For a full report of the running of Mason and Dixon's line in 1763–'67, and the verification by Colonel Graham in 1850, see Senate Journal of Delaware for 1851, pages 86–109.)

In 1784 the report of the commissioners who had been appointed to fix the boundaries between Virginia and Pennsylvania (West Virginia then forming part of Virginia) was confirmed, and the lines so fixed are as follows, viz:

> The line commonly called Mason and Dixon's line to be extended due west five degrees of longitude from the river Delaware, for the southern boundary of Pennsylvania, and a meridian drawn from the western extremity thereof to the northern limits of the said States, respectively, to be the western boundary of Pennsylvania. (*Vide* C. and S. laws of Pennsylvania, Vol. II, p. 493, and Hening's Virginia, Vol. XI, p. 554.)

By the cession of 1784, by Virginia to the United States—and that of 1800, by Connecticut to the United States, and the formation of the State of West Virginia from a portion of Virginia in 1862—the above-mentioned meridian line became the boundary between Pennsylvania on the east, and Ohio and West Virginia on the west.

By an examination of the cession of 1781, by New York to the United States, it will be seen that a small triangular tract on Lake Erie was left in the hands of the General Government. This was sold to Pennsylvania in 1792.

DELAWARE.

The State of Delaware was originally settled by the Swedes. (*Vide* Pennsylvania, p. 78.) In 1655 it was surrendered to the Dutch, who, in 1664, in turn surrendered it to the English, and it was taken possession of by the Duke of York.

William Penn, having received in 1682 a grant of the province of Pennsylvania, bought of the Duke of York the territory comprising the present State of Delaware. It was conveyed to him by two deeds

feoffment, dated August 24, 1682, one conveying the town of New
astle and a twelve-mile circle around the same, and the other convey-
g all the lands south of said circle to Cape Henlopen. (See Hazard's
nnals of Pennsylvania, p. 596, et seq.)

Soon after the grant made by the royal charter aforesaid, an as-
mbly of the province and three lower counties (then called the ter-
tories) was called by the proprietary and governor aforesaid, which
et at Chester on the seventh day of December, 1682, when the follow-
g laws, among others, were passed, to wit:

> * * * Since * * * it hath pleased King Charles the Second * * * to grant
> * * William Penn, esq., * * * this Province of Pennsylvania * * *
> d * James Duke of York and Albany * * * to release his right and claim
> * * to the Province of Pennsylvania * * * and * * * to grant unto the
> d William Penn * * * all that tract of land from twelve miles northward of New
> astle, on the river Delaware, down to the South Cape (commonly called Cape Hen-
> pen, and by the Proprietary and Governor now called Cape James) lying on the
> st side of the said river and bay, * * * lately cast into three counties, called
> w Castle, Jones, and Whorekills (alias New Deale. * * * Be it enacted * *
> at the counties of New Castle, Jones, and Whorekills alias New Deale * * *
> e annexed to the Province of Pennsylvania. * * * (Dallas' Laws of Pennsylva-
> a, 1797, Vol. I, Appendix, p. 24, et seq).

In 1701 William Penn granted a charter, under which the province
Pennsylvania and the territories (as Delaware was then called) were
ade separate governments, though both were still under the proprie-
ry government of William Penn. (C. & C., p. 270.)

By the Revolution the "territories" became the State of Delaware,
ith substantially her present boundaries.

(For a history of the boundaries between Delaware and Pennsylvania,
de Pennsylvania, p. 72, and between Delaware and New Jersey, vide
ew Jersey, p. 77, et seq.)

From 1732 to 1760 there was a controversy between the proprietors
Pennsylvania and Maryland in regard to boundaries (vide p. 79).
he boundaries of Delaware on the north and west—Delaware then be-
g under the jurisdiction of Pennsylvania—were determined as follows,
z:

Beginning at Cape Henlopen and running due west 34 miles 300
rches; thence in a straight line 81 miles 78 chains and 30 links up
e peninsula until it touches and makes a tangent to the western per-
hery of a circle, drawn at the horizontal distance of twelve English
atute miles from the center of the town of New Castle.

From this tangent point a line was run due north till it cut a parallel
latitude 15 miles due south of the most southern part of the city of
hiladelphia. This point of intersection is the northeast corner of
aryland. The tangent line bearing a little west of north, the due
orth line from the tangent point cuts off an arc of the 12-mile circle.
he boundary line follows the arc of the circle from the tangent point
round to the point where the due north line intersects the 12-mile

circle, thence follows said due north line to said northeast corner of Maryland. The length of said due north line is 5 miles 1 chain and 50 links as given by Mason and Dixon. (*Vide* Jour. Del. Sen., 1851, p. 53 *et seq.*)

By the agreement of 1760, based on the decree of Chancellor Hardwick, a due east and west line should be run across the peninsula from Cape Henlopen to Chesapeake Bay, etc. The decree of Lord Hardwick says, touching the position of Cape Henlopen, "that Cape Henlopen ought to be deemed and taken to be situated at the place where the same is laid down and described in the map or plan annexed to the said articles to be situated, and therefore his lordship doth further order and decree that the said articles be carried into execution accordingly," etc.

In Hazard's Annals of Pennsylvania, p. 5, is found the following, viz: "The cape now called Henlopen was then called Cornelia."

William Penn directed that Cape Henlopen be called Cape James. (*Vide* Hazard's Pennsylvania, p. 606; also *vide* Act of union of the territories to Pennsylvania.)

The foregoing statements explain the seeming incongruity between the base line across the peninsula and the position of Cape Henlopen as laid down on all modern maps.

MARYLAND.

The territory comprising the present area of Maryland was included in the previous charters of Virginia, notwithstanding which, in the year 1632, Lord Baltimore received a royal grant of the province of Maryland, whose boundaries are defined in the following extract:

> All that part of the Peninsula or Chersonese, lying in parts of America, between the ocean on the east and the Bay of Chesapeake on the west; divided from the residue thereof by a right line drawn from the promontory or headland called Watkins Point, situate upon the bay aforesaid, near the River Wighco on the west unto the main ocean on the east, and between that boundary on the south unto that part of the Bay of Delaware on the north, which lieth under the fortieth degree of north latitude from the equinoctial, where New England is terminated; and all the tract of that land within the metes underwritten (that is to say), passing from the said bay, called Delaware Bay, in a right line, by the degree aforesaid, unto the true meridian of the first fountain of the River Pattowmack; thence verging towards the south unto the further bank of the said river, and following the same on the west and south unto a certain place called Cinquack, situate near the mouth of said river where it disembogues into the aforesaid Bay of Chesapeake, and thence by the shortest line unto the aforesaid promontory or place called Watkins Point, so that the whole tract of land divided by the line aforesaid, between the main ocean and Watkins Point unto the promontory called Cape Charles, may entirely remain forever excepted to us * * * * * *.

By an examination of the limits laid down in this charter, and a comparison with the several charters of Virginia and the charter and to William Penn, it will be seen that there was a conflict of boundaries on both sides of the Maryland grant.

The history of the long controversy with Pennsylvania has already been given (vide Pennsylvania, p. 79, and Delaware, p. 80). Virginia on the south claimed the territory under her charters, and for a time seemed disposed to assert her claim, notwithstanding we find in 1638 a proclamation by the governor and council of Virginia recognizing the province of Maryland, and forbidding trade with the Indians within the limits of Maryland without the consent of Lord Baltimore previously obtained (vide Bozman's Maryland, vol. II, p. 586). Virginia's claim was finally given up by a treaty or agreement made in 1658. (For a full account vide Bozman's Maryland, p. 444 et seq.)

In 1668 the Virginia assembly ordered a survey of the line between Virginia and Maryland on the peninsula, and declared it to be as follows, viz:

From Watkins Point east across the peninsula.

They define Watkins Point

To be the north side of Wicocomoco River on the Eastern shore and neere unto and on the south side of the straight limbe opposite to Patuxent River.

(*Vide* Hening's Virginia, vol. II, p. 184.)

In 1668 commissioners were appointed by Maryland and Virginia to fix the boundary across the peninsula. The commissioners were Philip Calvert, esq., chancellor of Maryland, and Col. Edmund Scarbrugh, his majesty's surveyor-general of Virginia. Their report is as follows, viz:

* * * After a full and perfect view taken of the point of land made by the north side of Pocomoke Bay and south side of Annamessecks Bay have and do conclude the same to be Watkins Point, from which said point so called, we have run an east line, agreeable with the extreamest part of the westernmost angle of the said Watkins Point, over Pocomoke River to the land near Robert Holston's, and there have marked certain trees which are so continued by an east line running over Swansecutes Creeke into the marsh of the seaside with apparent marks and boundaries * * * Signed June 25, 1668. (*Vide* Md. Hist. Soc. Coll. of State papers, volume marked 4 L. C. E., pp. 63–64.)

Virginia, by the adoption of her constitution of 1776 (see Article 21), relinquished all claim to territory covered by the charter of Maryland, thereby fixing Maryland's western boundary as follows:

Commencing on a true meridian of the first fountain of the river Pattowmack, thence verging towards the south unto the further bank of the said river and following the same on the west and south unto a certain place called Cinquack, situate near the mouth of said river where it disembogues into the aforesaid bay of Chesapeake, and thence by the shortest line unto the aforesaid promontory or place called Watkins Point, thence a right line to the main ocean on the east. (See charter of Maryland.)

The foregoing are substantially the present boundaries; but from that time up to the present a controversy has been going on concerning them.

In 1785 a compact was entered into between the States of Maryland and Virginia, but as this referred more particularly to the navigation and exercise of jurisdiction on the waters of Chesapeake Bay, the Potomac and Pocomoke Rivers, they are not given here. (Vide Hening's Va., Vol. XII, p. 50.)

From 1821 to 1858 frequent legislation took place in regard to this boundary.

In the last-named year commissioners were appointed by Maryland and Virginia, respectively, who, with the assistance of Lieut. N. Michler, United States Engineers, surveyed the line.

In 1860 the governor of Virginia, under a resolution of the legislature, appointed and sent an agent to England to collect records and documentary evidence bearing on this question.

The rebellion ensuing, nothing further was done until 1867, when legislation again commenced.

The question of this boundary was referred to arbitrators by an agreement made in 1874, each State binding itself to accept their award as final and conclusive.

J. S. Black, of Pennsylvania; William A. Graham, of North Carolina, and Charles A. Jenkins, of Georgia, were appointed arbitrators.

William A. Graham having died, James B. Beck, of Kentucky, was appointed in his stead.

The arbitrators made, in 1877, the following award, viz:

> Beginning at the point on the Potomac River where the line between Virginia and West Virginia strikes the said river at low-water mark, and thence following the meanderings of said river by the low-water mark to Smith's Point, at or near the mouth of the Potomac, in the latitude 37° 53' 8" and longitude 76° 13' 46"; thence crossing the waters of the Chesapeake Bay, by a line running north 65° 30' east, about nine and a half nautical miles to a point on the western shore of Smith's Island at the north end of Sassafras Hammock, in latitude 37° 57' 13", longitude 76° 2' 52"; thence across Smith's Island south 88° 30' east five thousand six hundred and twenty yards to the center of Horse Hammock, on the eastern shore of Smith's Island, in latitude 37° 57' 8", longitude 75° 59' 20"; thence south 79° 30' east four thousand eight hundred and eighty yards to a point marked "A" on the accompanying map, in the middle of Tangier Sound, in latitude 37° 56' 42", longitude 75° 56' 23", said point bearing from James Island light south 54° west, and distant from that light three thousand five hundred and sixty yards; thence south 10° 30' west four thousand seven hundred and forty yards by a line dividing the waters of Tangier Sound, to a point where it intersects the straight line from Smith's Point to Watkins Point, said point of intersection being in latitude 37° 54' 21", longitude 75° 56' 55", bearing from James Island light south 27° west and from Horse Hammock south 26° 30' east. This point of intersection is marked "B" on the accompanying map. Thence north 85° 15' east six thousand seven hundred and twenty yards along the line above mentioned, which runs from Smith's Point to Watkins Point until it reaches the latter spot, namely Watkins Point, which is in latitude 37° 54' 38", longitude 75° 52' 44". From Watkins Point the boundary line runs due east seven thousand eight hundred and eighty yards to a point where it meets a line running through the middle of Pocomoke Sound, which is marked "C" on the accompanying map, and is in latitude 37° 54' 38", longitude 75° 47' 50"; thence by a line dividing the waters of Pocomoke Sound north 47° 30' east five thousand two hundred and twenty yards to a point in said sound marked "D" on the accompanying map, in latitude 37° 56' 25", longitude 75° 45' 26"; thence following the middle

> Pocomoke River by a line of irregular curves, as laid down on the accompanying ap, until it intersects the westward protraction of the boundary line marked by arborough and Calvert, May 28, 1668, at a point in the middle of Pocomoke River, d in the latitude 37° 59′ 37″, longitude 75° 37′ 4″; thence by the Scarborough and alvert line, which runs 5° 15′ north of east, to the Atlantic Ocean.
>
> The latitudes, longitudes, courses, and distances here given have been measured upon e Coast Chart No. 33 of U. S. Coast Survey, sheet No. 3, Chesapeake Bay. * * * e middle thread of the Pocomoke River and the low-water mark on the Potomac iver are to be measured from headland to headland, without considering or following ues, inlets, creeks, bays, or affluent rivers. * * * (*Vide* U. S. Stat. at Large, l. XX, p. 481.)

This award was ratified by the States of Maryland and Virginia, and onfirmed by Congress in 1879.

In 1879–'80 acts were passed by the legislatures of Maryland and irginia to appoint commissioners and to request the General Govern-ent to designate one or more officers of the Engineer Corps, said mmissioners and officers to survey and mark said line and erect monu-ents thereon.

West Virginia having been formed from a part of Virginia and ad-itted into the Union in 1862, the western boundary of Maryland now parates it from the State of West Virginia.

The commissioners appointed in 1859 by Virginia and Maryland (*vide* . 84) surveyed the western boundary from the "Fairfax Stone" (the st fountain of the Potomac) due north to the Pennsylvania line, and e legislature of Maryland in 1860 passed an act declaring that line to be its western boundary.

From the "Fairfax Stone" the boundary between Maryland and West rginia runs along the south bank of the Potomac River till it strikes e line between Virginia and West Virginia.

(For a history of the placing of the Fairfax Stone, *vide* Virginia, p. 98.)

DISTRICT OF COLUMBIA.

On the 5th day of September, 1774, the Continental Congress met at hiladelphia. Two years later they adjourned to Baltimore. During e Revolution and subsequent to the treaty of peace they met in vari-us places. After the close of the war much debate took place in re-ard to the location of a permanent seat of the Government of the nited States. Several States made propositions to Congress, offering cede certain lands for the purpose, but no determination of the loca-on was made by Congress until 1790.

Act of cession from the State of Maryland, passed December 23, 1788.

On the 23d of December, 1788, the State of Maryland passed the fol-wing act, viz:

e it enacted by the general assembly of Maryland, That the representatives of this

State in the House of Representatives of the Congress of the United States, appointed to assemble at New York, on the first Wednesday of March next, be and they are hereby authorized and required on the behalf of this State to cede to the Congress of the United States, any district in this State not exceeding ten miles square, which the Congress may fix upon and accept for the seat of government of the United States.

In the following year (December 3, 1789), the State of Virginia passed a similar act, of which the following is an extract:

Be it therefore enacted by the general assembly, That a tract of country not exceeding ten miles square or any lesser quantity, to be located within the limits of the State, and in any part thereof as Congress may by law direct shall be, and the same is hereby, forever ceded and relinquished to the Congress and Government of the United States, in full and absolute right and exclusive jurisdiction, as well of said soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the 1st article of the Constitution of the Government of the United States.

After long discussion, Congress in 1790, in view of the foregoing cessions of Maryland and Virginia, passed the following act, viz:

AN ACT for establishing the temporary and permanent seat of government of the United States.
Approved July 16, 1790.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a district of territory, not exceeding ten miles square, to be located as hereafter directed on the river Potowmac, at some place between the mouth of the Eastern Branch and Connogocheque, be, and the same is hereby, accepted for the permanent seat of the government of the United States. *Provided nevertheless*, That the operation of the laws of the State within such district shall not be affected by this acceptance until the time fixed for the removal of the government thereto, and until Congress shall otherwise by law provide.

SECT. 2. *And be it further enacted*, That the President of the United States be authorized to appoint, and by supplying vacancies happening from refusals to act or other causes, to keep in appointment as long as may be necessary, three commissioners, who, or any two of whom, shall, under the direction of the President, survey, and by proper metes and bounds define and limit, a district of territory, under the limitations above mentioned; and the district so defined, limited, and located shall be deemed the district accepted by this act for the permanent seat of the government of the United States.

SECT. 3. *And be it enacted*, That the said commissioners, or any two of them, shall have power to purchase or accept such quantity of land on the eastern side of the said river within the said district as the President shall deem proper for the use of the United States, and according to such plans as the President shall approve. The said commissioners, or any two of them, shall, prior to the first Monday in December in the year 1800, provide suitable buildings for the accommodation of Congress, and of the President, and for the public offices of the government of the United States.

SECT. 4. *And be it enacted*, That for defraying the expenses of such purchases and buildings the President of the United States be authorized and requested to accept grants of money.

SECT. 5. *And be it enacted*, That prior to the first Monday in December next all offices attached to the seat of government of the United States shall be removed to, and until the first Monday in December in the year 1800 shall remain at, the city of Philadelphia, in the State of Pennsylvania, at which place the session of Congress next ensuing the present shall be held.

SECT. 6. *And be it enacted*, That on the first Monday in December, in the year 1800, the seat of the government of the United States, shall, by virtue of this act, be transferred to the district and place aforesaid. And all offices attached to the said seat of government shall accordingly be removed thereto by their respective holders, and

l, after the said day, cease to be exercised elsewhere, and that the necessary ex-
e of said removal, shall be defrayed out of the duties on imposts and tonnage, of
ch a sufficient sum is hereby appropriated.

n the following year the foregoing act was amended, in order to in-
de a portion of the Eastern Branch, and the town of Alexandria
hin the limits of the district.

The following is the act of amendment:

ACT to amend "An act for establishing the temporary and permanent seat of government of the United States." Approved March 3, 1791.

e it enacted, &c., That so much of the act entitled "An act for establishing the tem-
ary and permanent seat of the government of the United States, as requires that
whole of the district of territory, not exceeding ten miles square, to be located on
river Potowmac, for the permanent seat of the government of the United States,
l be located above the mouth of the Eastern Branch, be and is hereby repealed,
that it shall be lawful, for the President to make any part of the territory below
limit and above the mouth of Hunting Creek, a part of the said district so as to
ude a convenient part of the Eastern Branch, and of the lands lying on the lower
thereof; and also the town of Alexandria, and the territory so to be included
l form a part of the district not exceeding ten miles square for the permanent
of the government of the United States, in like manner, and to all intents and
poses, as if the same had been within the the purview of the above recited act:
vided, That nothing herein contained, shall authorize the erection of the public
dings, otherwise than on the Maryland side of the river Potowmac, as required by
aforesaid act.

n pursuance of the foregoing acts, three commissioners were ap-
nted, who made preliminary surveys of the territory, and on the 30th
of March, 1791, George Washington, President of the United States,
ed a proclamation, in which the bounds of the said District were
ned as follows, viz:

ginning at Jones' Point, being the upper cape of Hunting Creek, in Virginia, and
angle in the outset of 45° west of the north, and running in a direct line ten
s for the first line; then beginning again at the same Jones' Point and running
her direct line at a right angle with the first, across the Potomac, ten miles for
second line; then, from the terminations of the said first and second lines, run-
g two other direct lines, of ten miles each, the one crossing the Potomac and the
r the Eastern Branch aforesaid, and meeting each other in a point.

n 1800 Congress removed to this District. In the following year
District was divided into two counties, as follows, viz:

TED STATES STATUTES AT LARGE, SIXTH CONGRESS, SECOND SESSION, 1801,
(CHAPTER XV).

AN ACT concerning the District of Columbia.

he said District of Columbia shall be formed into two counties. One county shall
tain all that part of said District which lies on the east side of the river Potomac,
ether with the islands therein, and shall be called the county of Washington, the
r county shall contain all that part of said District which lies on the west side of
river, and shall be called the county of Alexandria; and the said river, in its
le course through said District, shall be taken and deemed to all intents and pur-
s to be within both of said counties.

In 1846 Congress passed an act retroceding to the State of Virginia that part of the District of Columbia originally ceded to the United States by Virginia. The following is an extract from said act of retrocession:

> That with assent of the people of the county and town of Alexandria, to be ascertained as hereinafter prescribed, all of that portion of the District of Columbia ceded to the United States by the State of Virginia, and all the rights and jurisdiction therewith ceded over the same, be, and the same are, hereby ceded and forever relinquished to the State of Virginia in full and absolute right and jurisdiction, as well of soil as of persons residing or to reside thereon.

VIRGINIA.

In the year 1606 King James I of England granted the "First Charter of Virginia." The boundaries therein described are as follows, viz:

> * * * Situate, lying, or being all along the sea coasts, between four and thirty degrees of northerly latitude from the equinoctial line, and five and forty degrees of the same latitude, and in the main land between the same four and thirty and five and forty degrees and the islands thereunto adjacent, or within one hundred miles of the coast thereof. * * *

Soon after, in 1609, a new charter was granted, called the "Second Charter of Virginia," which defines the boundaries in the following terms:

> * * * Situate, lying, and being in that part of America called Virginia, from the point of land called Cape or Point Comfort, all along the sea coast to the northward two hundred miles, and from the said point of Cape Comfort all along the sea coast to the southward two hundred miles, and all that space and circuit of land lying from the sea coast of the precinct aforesaid up into the land, throughout from sea to sea, west and northwest, and also all the islands lying within one hundred miles along the coast of both seas of the precinct aforesaid. * * *

In 1611-'12 the "Third Charter of Virginia" was granted, which was an enlargement of the second, of which the following is an extract:

> All and singular those islands whatsoever, situate and being in any part of the ocean seas bordering upon the coast of our said first colony in Virginia, and being within three hundred leagues of any of the parts heretofore granted to the said treasurer and company in our former letters-patents as aforesaid, and being within or between the one-and-fortieth and thirtieth degrees of northerly latitude.

These boundaries, as will be seen, included territory composing wholly, or in part, the present States of Pennsylvania, Delaware, Maryland, North and South Carolina, in addition to others formed since the Revolution.

This large extent of territory was reduced in the first instance by the charter of Maryland in 1632, next by the charters of Carolina in 1663 and 1665, then by the charter of Pennsylvania in 1681, and, again, subsequent to the Revolution, by the cession to the United States of the territory northwest of the Ohio River in 1784; by the admission of

Kentucky as an independent State in 1792, and lastly by the division of the territory of Virginia in 1862, by which the new State of West Virginia was created and admitted into the Union.

By the constitution of 1776 Virginia formally gave up all claim to the territory now appertaining to the neighboring States of Maryland, Pennsylvania, North and South Carolina.

The following is an extract from the Virginia constitution of 1776:

> The territories contained within the charters erecting the colonies of Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and forever confirmed to the people of these colonies, respectively, with all the rights of property, jurisdiction, and government, and all the rights whatsoever, which might at any time heretofore have been claimed by Virginia, except the free navigation and use of the rivers Potomaque and Pokemoke, with the property of the Virginia shores and strands bordering on either of said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of Virginia shall, in all other respects, stand as fixed by the charter of King James I, in the year one thousand six hundred and nine, and by the public treaty of peace between the courts of Britain and France in the year one thousand seven hundred and sixty-three, unless by act of the legislature one or more governments be established westwards of the Allegheny Mountains.

In the mean time a grant of territory had been made, within the present limits of Virginia and West Virginia, which caused great dissatisfaction to the people of the Virginia Colony, and which ultimately had an important bearing in settling the divisional line between Maryland and Virginia.

In the 21st year of Charles II a grant was made to Lord Hopton and others of what is called the northern neck of Virginia, which was sold by the other patentees to Lord Culpeper and confirmed to him by letters-patent in the fourth year of James II. This grant carried with it nothing but the right of soil and incidents of ownership, it being expressly subjected to the jurisdiction of the government of Virginia. The tract of land thereby granted was "bounded by and within the heads of the rivers Tappahannock, alias Rappahannock, and Quiriough, alias Patomac, rivers." On the death of Lord Culpeper, this proprietary tract descended to Lord Fairfax, who had married Lord Culpeper's only daughter.

As early as 1729 difficulties sprung up, arising from conflicting grants from Lord Fairfax and the Crown.

In 1730 Virginia petitioned the King, reciting that the head springs of the Rappahannock and Potomac Rivers were not known, and praying that such measures might be taken that they might be ascertained to the satisfaction of all parties.

In 1733 Lord Fairfax made a similar petition, asking that a commission might issue for running out, marking, and ascertaining the true boundaries of his grant.

An order, accordingly, was issued and three commissioners were appointed on the part of the Crown and three on the part of Lord Fairfax.

The duty which devolved upon these commissioners was to ascertain by actual examination and survey the respective fountains of the Rappahannock and Potomac Rivers. This survey was made in 1736.

The report of the commissioners was referred to the council for plantation affairs in 1738, who reported their decision in 1745, as follows, viz:

> * * * The said boundary ought to begin at the first spring of the south branch of the river Rappahannock, and that the said boundary be from thence drawn in a straight line northwest to the place in the Allegheny Mountains where that part of the Potomac River, which is now called Cohongoronta, first rises. * * *

This report was confirmed by the King, and commissioners were appointed to run and mark the dividing line accordingly.

The line was run in 1746. On the 17th day of October, 1746, they planted the Fairfax stone at the spot which had been described and marked by the preceding commissioners as the true head spring of the Potomac River, and which, notwithstanding much controversy, has continued to be regarded, from that period to the present time, as the southern point of the western boundary between Virginia and Maryland. (*Vide* Faulkner's Report to Governor of Virginia, 1832. For full details, *vide* Byrd Papers, 1866, Vol. II, p. 83 *et seq.* Also Hening's Va. Statutes.)

This tract of country was held by Lord Fairfax and his descendants many years, but subsequent to the Revolution the quitrents, charges, etc., were abolished and it became in all respects subject to the jurisdiction of Virginia.

(For the history of the settlement of the boundary lines between Virginia and Maryland, *vide* Maryland, p. 83.)

(For a history of the boundary between Virginia and Pennsylvania, *vide* Pennsylvania, p. 89.)

Kentucky formed originally a part of the county of Fincastle, Virginia. In the year 1776, this county was divided into three counties, the westernmost of which was called Kentucky County, and its eastern boundary was declared to be as follows, viz:

> A line beginning on the Ohio, at the mouth of Great Sandy Creek, and running up the same and the main or northeasterly branch thereof to the Great Laurel Ridge or Cumberland Mountains; thence southwesterly along the said mountain to the line of North Carolina. (See Hening's Statutes, Virginia, Vol. 9, p. 257.)

Kentucky having been admitted into the Union June 1, 1792, commissioners were appointed in 1795 by Virginia and Kentucky to fix the boundary. In 1799–1800 the commissioners' report was made and ratified by the States. It was as follows, viz:

> To begin at the point where the Carolina, now Tennessee, line crosses the top of the Cumberland Mountains, near Cumberland Gap, thence northeastwardly along the top or highest part of the said Cumberland Mountain, keeping between the head waters of Cumberland and Kentucky Rivers, on the west side thereof, and the head waters of Powell's and Guest's Rivers, and the Pond Fork of Sandy, on the east side thereof, continuing along the said top, or highest part of said mountain, crossing the road

leading over the same at the Little Paint Gap, where by some it is called the Hollow Mountain and where it terminates at the West Fork of Sandy, commonly called Russell's Fork, thence with a line to be run north 45° east till it intersects the other great principal branch of Sandy, commonly called the Northeastwardly branch, thence down the said Northeastwardly branch to its junction with the main west branch and down Main Sandy to its confluence with the Ohio. (See Shepard's Virginia, Vol. 2, p. 234.)

It will be seen that the latter part of this line is the present line between West Virginia and Kentucky.

(For the history of the settlement of the boundaries between Virginia and North Carolina, *vide* North Carolina, *vide* p. 94.)

In 1779 Virginia and North Carolina appointed commissioners to run the boundary line between the two States west of the Alleghany Mountains, on the parallel of 36° 30′. The commissioners were unable to agree on the location of the parallel; they therefore ran two parallel lines two miles apart, the northern known as Henderson's, and claimed by North Carolina, the southern known as Walker's line, and claimed by Virginia. In the year 1789 North Carolina ceded to the United States all territory west of her present boundaries, and Tennessee being formed from said ceded territory, this question became one between Virginia and Tennessee.

Commissioners having been appointed by Virginia and Tennessee to establish the boundary, their report was adopted in 1803, and was as follows, viz:

> A due west line equally distant from both Walker's and Henderson's, beginning on the summit of the mountain generally known as White Top Mountain, where the northeast corner of Tennessee terminates, to the top of the Cumberland Mountain, where the southwestern corner of Virginia terminates.

In 1871 Virginia passed an act to appoint commissioners to adjust this line.

Tennessee, the *following* year, in a very emphatic manner, passed a resolution refusing to reopen a question regarding a boundary which she considered "fixed and established beyond dispute forever." (See acts of Tennessee, 1872.)

Up to 1783 Virginia exercised jurisdiction over a large tract of country northwest of the Ohio River. But by a deed executed March 1, 1784, she ceded to the United States all territory lying northwest of the Ohio River, thus making her western boundary the west bank of the Ohio River.

On the 31st of December, 1862, the State of Virginia was divided, and 48 counties, composing the western part of the State, were made the new State of West Virginia. By an act of Congress in 1866, consent was given to the transfer of two additional counties from Virginia to West Virginia.

In 1876 and 1877 commissioners were appointed by each State to determine the true boundaries between the two States, and the General

Government was asked to detail officers of engineers to act with said commissioners in surveying and fixing the line.

Until their report is at hand, the boundary can only be found by following the old county lines. In view of the expectation of such report at an early day, it has not been thought best to go into an examination of the old county lines.

WEST VIRGINIA.

This State was cut off from Virginia on December 31, 1862. It was originally formed of those counties of Virginia which had refused to join in the secession movement. It was admitted to the Union as a separate State, June 19, 1863. It originally contained the following counties: Barbour, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Kanawha, Lewis, Logan, Marion, Marshall, Mason, McDowell, Mercer, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood, Wyoming.

In 1866 it was enlarged by the two counties of Berkeley and Jefferson, transferred from Virginia. Its boundary with Virginia is made up of boundary lines of the border counties above enumerated; and can be defined only by reference to the laws by which these counties were created. In the constitution of 1872, after a recapitulation of the counties which were transferred from Virginia to West Virginia, is found the following clause defining the boundaries upon the south and west:

> "The State of West Virginia includes the bed, bank, and shores of the Ohio River, and so much of the Big Sandy River as was formerly included in the Commonwealth of Virginia, and all territorial rights and property in and jurisdiction over the same heretofore reserved by and vested in the Commonwealth of Virginia, are vested in and shall hereafter be exercised by the State of West Virginia; and such parts of the said beds, banks, and shores as lie opposite and adjoining the several counties of this State shall form parts of said several counties respectively.

(For a history of the boundaries of West Virginia, vide Pennsylvania, p. 79; Maryland, p. 83; Virginia, p. 88.)

NORTH CAROLINA.

In the year 1663 the "first charter of Carolina" was granted, which, two years later, in 1665, was enlarged by the "second charter of Carolina."

The following extracts from these two charters define the boundaries:

Charter of Carolina, 1663.

* * * All that territory or tract of ground, scituate, lying and being within our dominions of America, extending from the north end of the island called Lucke Island, which lieth in the Southern Virginia seas, and within six and thirty degrees of the northern latitude, and to the west as far as the south seas, and so southerly as far as the river Saint Matthias, which bordereth on the coast of Florida, and within one and thirty degrees of northern latitude, and so west in a direct line as far as the south seas aforesaid. * * *

Charter of Carolina, 1665.

* * * All that province, territory, or tract of land, scituate, lying or being in our dominions of America, aforesaid, extending north and eastward as far as the north end of Currituck River, or inlet, upon a strait westerly line to Wyonoke Creek, which lies within or about the degrees of thirty-six and thirty minutes, northern latitude, and so west in a direct line as far as the south seas. * * *

This is an extension of the charter of 1663, by which its northern boundary was removed from the approximate latitude of 36° to 36° 30′, on which parallel it is now approximately established. Although the exact year in which the division of the province of Carolina into the two provinces of North and South Carolina appears somewhat uncertain, I find it generally put down as 1729. The division line between the two provinces, North and South Carolina, appears to have been established by mutual agreement.

In the constitution of North Carolina of 1776 this line is defined as shown in the subjoined extract:

The property of the soil, in a free government, being one of the essential rights of the collective body of the people, it is necessary, in order to avoid future disputes, that the limits of the State should be ascertained with precision; and as the former temporary line between North and South Carolina was confirmed and extended by commissioners appointed by the legislatures of the two States, agreeable to the order of the late King George II in council, that line, and that only, should be esteemed the southern boundary of this State; that is to say, beginning on the sea side at a cedar stake, at or near the mouth of Little River (being the southern extremity of Brunswick County), and running from thence a northwest course through the boundary house, which stands in thirty-three degrees fifty-six minutes, to thirty-five degrees north latitude, and from thence a west course so far as is mentioned in the charter of King Charles II to the late proprietors of Carolina. Therefore, all the territory, seas, waters, and harbours, with their appurtenances, lying between the line above described, and the southern line of the State of Virginia, which begins on the sea shore, in thirty-six degrees thirty minutes north latitude, and from thence runs west, agreeable to the said charter of King Charles, are the right and property of the people of this State, to be held by them in sovereignty, any partial line, without the consent of the legislature of this State, at any time thereafter directed or laid out in anywise notwithstanding.

On December 2, 1789, the legislature passed an act ceding to the United States its western lands, now constituting the State of Tennessee. On February 25, 1790, the deed was offered, and on April 2 of the same year it was accepted by the United States.

In the Revised Statutes the north and south boundaries of the State are claimed to be as follows: The northern boundary, the parallel of 36° 30'; the southern boundary, a line running northwest from Goat Island on the coast in latitude 33° 56' to the parallel of 35°, and thence along that parallel to Tennessee; while the western boundary is the Smoky Mountains. It is strange that the Revised Statutes should contain such a statement of the boundary lines when it is thoroughly well known that it is incorrect, especially as regards the southern boundary. In the case of the northern boundary the intention has been from the earliest colonial times down to the present to establish a line upon the parallel of 36° 30'. This is found to be the wording of every legislative act relating to it, and the errors of this boundary are due simply to errors in surveying and location. The following brief and comprehensive sketch of the north and south boundary lines of this State, and of the various attempts made to locate them, is taken from Professor Kerr's "Geology of North Carolina," vol. 1, page 2:

"The first and only serious attempt to ascertain the northern boundary was that made in 1728, by Col. Wm. Byrd, and others, commissioners on the part of the two colonies, acting under Royal authority. From the account given by Byrd of this undertaking, it appears that they started from a point on the coast whose position they determined by observation to be in 36° 31' north latitude, and ran due west (correcting for the variation of the compass), to Nottoway River, where they made an offset of a half mile to the mouth of that stream, again running west. The line was run and marked 242 miles from the coast, to a point in Stokes County, on the upper waters of the Dan River (on Peter's creek) the North Carolina commissioners accompanying the party only about two-thirds of the distance. Beyond this point, the line was carried some 90 miles by another joint commission of the two colonies in 1749; this survey, terminating at Steep Rock Creek, on the east of Stone Mountain, and near the present northwest corner of the State, was estimated to be 329 miles from the coast. In 1779 the line was taken up again at a point on Steep Rock Creek, determined by observation to be on the parallel of 36° 30' (the marks of the previous survey having disappeared entirely), and carried west to and beyond Bristol, Tennessee. This last is known as the Walker line, from one of the commissioners of Virginia.

These lines were run and the latitude observations taken with very imperfect instruments, and the variation of the compass was little understood, so that it was not possible to trace a parallel of latitude. The line, besides, was only marked on the trees and soon disappeared, and as the settlements were very scattered the location soon became a matter of vague tradition and presently of contention and litigation, so that in 1858, at the instance of Virginia, commissioners were appointed to relocate the line from the end of the Byrd survey westward, but for some reason they did not act. In 1870 commissioners were again appointed by Virginia and similar action asked on the part of this State; and the proposition was renewed in 1871, but ineffectually, as before. In all these numerous attempts to establish the line of division between the two colonies and States, the intention and the specific instructions have been to ascertain and mark, as the boundary of the two States, the parallel of 36° 30'. The maps published towards the end of last century by Jefferson and others give that parallel as the line, and the bill of rights of North Carolina claims that "all the territory lying between the line above described (the line between North and South Carolina) and the southern line of the State of Virginia, which begins on the sea shore in 36° 30' north latitude, and from thence runs west, agreeably to the charter of King Charles, are the right and property of this State." But it appears from the operations of the United States Coast Survey at both ends of the line that the point of beginning on Currituck Inlet, instead of being, as so constantly assumed, in latitude 36° 30', or as determined by the surveyors in 1728, 36° 31' is 36° 33' 15", and the western end (of "the Walker line," of 1779, at Bristol, Tenn.) 36° 34' 25.5". It is stated in Byrd's Journal that the variation of the compass was ascertained to be a little less than 3° W. [The magnetic chart of the United States Coast Survey would make it 3° E.] And no account is given of any subsequent correction, and if none was made at the end of the line surveyed by him the course would have been in error by nearly 3°, as the amount of variation in this State changes a little more than 1° for every 100 miles of easting or westing. So that the northern boundary of the State as run is not only not the parallel of 36° 30', but is far from coincident with any parallel of latitude, and must be a succession of curves, with their convexities northward and connected at their ends by north and south offsets.

The southern boundary between this State and South Carolina and Georgia was first established by a joint colonial commission in 1735 to 1746. The commissioners ran a line from Goat Island on the coast (in latitude 33° 56' as supposed) NW to the parallel of 35°, according to their observations, and then due west to within a few miles of the Catawba River, and here, at the old Salisbury and Charleston road, turned north along that road to the southeast corner of the Catawba Indian Lands. This line, resurveyed in 1764, was afterwards (in 1772) continued along the eastern and northern boundaries of the Catawba lands to the point where the latter intersects the Catawba River; thence along and up that river to the mouth of the South Fork of the Catawba, and thence due west, as supposed, to a point near the Blue Ridge. This part of the line was resurveyed and confirmed by commissioners under acts of assembly of 1803, 1804, 1806, 1813, 1814, and 1815, and continued west to and along the Saluda Mountains and the Blue Ridge to the intersection of the "Cherokee boundary" of 1797, and thence in a direct line to the Chatooga River at its intersection with the parallel of 35°. From this point the line was run west to the Tennessee line, between this State and Georgia, in 1807, and confirmed and established by act of 1819.

The boundary between this State and Tennessee was run, according to the course designated in the act of 1789, entitled "An act for the purpose of ceding to the United States certain western lands therein described" (the State of Tennessee); that is, along the crest of the Smoky Mountains, from the Virginia line to the Cataluche River (in Haywood County), in 1799, under act of 1796. It was continued from this point to the Georgia line in 1821. The commissioners who completed this line, at the date last-mentioned, instead of following their instructions, diverged from the crest of the Smoky (Unaka) Mountains at the intersection of the Hiwassee turnpike, and ran due south to the Georgia line, thereby losing for the State the valuable mining region since known as Ducktown.

And as to the southern boundary, the point of beginning on Goat Island is in latitude 33° 51' 37", as shown by the Coast Survey, and instead of running from Goat Island northwest to latitude of 35° and thence along that parallel, it appears, from the South Carolina Geographical State Survey of 1821-'25, that the course from the starting point is N. 47° 30' W., and instead of pursuing the parallel of 35° it turns west about 10 miles south of that line, and then on approaching the Catawba River, turns northward pursuing a zigzag line to the forks of the Catawba River, which is about 12 miles north of that parallel; and from this point to the mountains the boundary line (of 1772) runs, not west, but N. 88° W., bringing its western end about 17 miles too far north, and reaching the (supposed) parallel of 35° at a distance of about 120 miles east of the Catawba River. The loss of territory resulting from these singular deviations is probably between 500 and 1,000 square miles.

The following extract from the constitution of 1796, of Tennessee, defines the eastern boundary of that State, which is the western boundary of North Carolina, as it was intended to be run and marked:

> Beginning on the extreme height of the Stone Mountain at the place where the line of Virginia intersects it in latitude thirty-six degrees and thirty minutes north; running thence along the extreme height of the said mountain to the place where Watauga River breaks through it; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain to where Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of said mountain to the Painted Rock on French Broad River; thence along the highest ridge of said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of said mountain to the place where it is called Unicoi or Unaka Mountain between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this State as described in the act of cession of North Carolina to the United States of America.

In 1879 the legislature passed an act to appoint commissioners to make a survey from the northeast corner of Georgia westward. This point of commencement is common to North Carolina, South Carolina, and Georgia.

In 1881 the legislature passed another act, providing for the appointment of a commissioner, who should act with commissioners from Virginia, South Carolina, Georgia, or Tennessee, to re-run and re-mark the boundaries between North Carolina and the other States.

SOUTH CAROLINA.

The territory included in the present State of South Carolina was included in the charter of Carolina, which also embraced what is now the State of Georgia. (*Vide* North Carolina, p. 93.)

In 1729 the province of Carolina was divided, forming the two provinces of North Carolina and South Carolina. In 1732 the extent of South Carolina was reduced by the charter of Georgia. (*Vide* Georgia, p. 97.)

(For a history of the settlement of the boundary between North Carolina and South Carolina, *vide* North Carolina, p. 93.)

By the charter of Georgia the line between South Carolina and Georgia was to be the Savannah River, to the head thereof. In 1762 difficulties having arisen, concerning the interpretation of the charter, as regarded the head of the Savannah, and also the title to the lands south of the Altamaha River, Georgia made complaint to the King, who issued a proclamation in 1763 giving the lands between the Altamaha and Saint Mary's Rivers to Georgia. The question of the boundary on the Savannah, however, remained unsettled until 1787, when a conven tion between the two States was held at Beaufort, S. C., to determine the same, and the line was fixed as at present.

The following is an extract from the articles of agreement:

> The most northern branch or stream of the river Savannah from the sea or mouth of such stream to the fork or confluence of the rivers now called Tugaloo and Keowa, and from thence the most northern branch or stream of the said river Tugaloo till it intersects the northern boundary line of South Carolina, if the said branch or stream of Tugaloo extends so far north, reserving all the islands in the said rivers Savannah and Tugaloo to Georgia; but if the head spring or source of any branch or stream of the said river Tugaloo does not extend to the north boundary line of South Carolina, then a west line to the Mississippi, to be drawn from the head spring or source of the said branch or stream of Tugaloo River which extends to the highest northern latitude, shall forever hereafter form the separation, limit, and boundary between the States of South Carolina and Georgia. (Laws of the United States, Vol. I, p. 466.)

In the same year South Carolina ceded to the United States a narrow strip of territory south of the North Carolina line, which she claimed, about 12 or 14 miles wide, and extending to the Mississippi River; this strip now forms the northern portion of Georgia, Alabama, and Mississippi. Georgia being thus increased in extent northwardly, the line between the two States is clearly expressed in the code of South Carolina, as follows, viz:

> The Savannah River, from its entrance into the ocean to the confluence of the Tugaloo and Keowa Rivers; thence by the Tugaloo River to the confluence of the Tugaloo and Chatooga Rivers; thence by the Chatooga River to the North Carolina line in the thirty-fifth degree of north latitude, the line being low-water mark at the southern shore of the most northern stream of said rivers, where the middle of the rivers is broken by islands, and middle thread of the stream where the rivers flow in one stream or volume.

GEORGIA.

Georgia was included in the proprietary charter granted to the lords proprietors of Carolina in 1663 and 1665, for which a provincial charter was substituted in 1719.

In 1732 the charter of Georgia as an independent colony was granted by King George II, of which the following is an extract:

> All those lands, countrys, and territories situate, lying and being in that part of South Carolina, in America, which lies from the most northern part of a stream or river there, commonly called the Savannah, all along the sea-coast to the southward, unto the most southern stream of a certain other great water or river called the Altamaha, and westerly from the heads of the said rivers, respectively, in direct lines to the south seas.

This charter was surrendered in 1752 and a provincial government established. (C. & C., p. 369 *et seq.*)

In 1763 the territory between the Altamaha and Saint Mary's Rivers was added to Georgia by royal proclamation. (*Vide* South Carolina, p. 96.)

In the constitution adopted by Georgia in 1798 the boundaries are declared. The following is an extract therefrom:

> The limits, boundaries, jurisdictions, and authority of the State of Georgia do, and did, and of right ought to extend from the sea or mouth of the river Savannah along the northern branch or stream thereof, to the fork or confluence of the rivers now called Tugalo and Keowee, and from thence along the most northern branch or stream of the said river Tugalo, till it intersect the northern boundary line of South Carolina, if the said branch or stream of Tugalo extends so far north, reserving all the islands in the said rivers Savannah and Tugalo to Georgia; but if the head, spring, or source of any branch or stream of the said river Tugalo does not extend to the north boundary line of South Carolina, then a west line to the Mississippi, to be drawn from the head, spring, or source of the said branch or stream of Tugalo River, which extends to the highest northern latitude; thence down the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude, south by a line drawn due east from the termination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Chatahoochee; thence along the middle thereof, to its junction with Flint River; thence straight to the head of Saint Mary's River, and thence, along the middle of Saint Mary's River, to the Atlantic Ocean, and from thence to the mouth or inlet of Savannah River, the place of beginning, including and comprehending all the lands and waters within the said limits, boundaries, and jurisdictional rights; and also all the islands within twenty leagues of the sea-coast.

In 1802 Georgia entered into articles of agreement and cession with the United States, whereby Georgia ceded to the United States the lands west of her present boundaries, and the United States ceded to Georgia that part of the South Carolina cession of 1787 which lies east of the present western boundary of Georgia. The following extracts show the limits of the two cessions:

> The State of Georgia cedes to the United States all the right, title, and claim which the said State has to the jurisdiction and soil of the lands situated within the boundaries of the United States, south of the State of Tennessee and west of a line beginning on the western bank of the Chatahouchee River where the same crosses the boundary line between the United States and Spain; running thence up the said river Chatahouchee, and along the western bank thereof to the great bend thereof, next above the place where a certain creek or river, called "Uchee" (being the first considerable stream on the western side, above the Cussetas and Coweta towns), empties into the said Chatahouchee River; thence in a direct line to Nickajack, on the Tennessee River; thence crossing the said last-mentioned river, and thence running up the said Tennessee River and along the western bank thereof to the southern boundary line of the State of Tennessee.
>
> * * * * * * *
>
> The United States * * * cede to the State of Georgia * * * the lands * * * situated south of the southern boundaries of the States of Tennessee, North Carolina, and South Carolina, and east of the boundary line herein above described as the eastern boundary of the territory ceded by Georgia to the United States.

For a history of the boundary between Georgia and South Carolina, *vide* South Carolina, p. 96.

The history of the boundary between North Carolina and Georgia has already been given (*vide* North Carolina, p. 95). It may be proper, however, to add that this line (the thirty-fifth degree of north latitude) was fixed by the cession above detailed, from the United States to Georgia of that part of the South Carolina cession east of the present western boundary of Georgia.

A long controversy ensued between Georgia and North Carolina, with no results, however, until in 1810 Georgia empowered her governor to employ Mr. Andrew Ellicott to ascertain the true location of the thirty-fifth degree of latitude. Ellicott did so, and the point fixed by him was acquiesced in. (*Vide* Cobb's Georgia Digest, p. 150.)

The boundary between Georgia and Tennessee was established in 1818, and is as follows, viz: The thirty-fifth parallel of north latitude, beginning and ending as follows:

Beginning at a point in the true parallel of the thirty-fifth degree of north latitude, as found by James Cormack, mathematician on the part of the State of Georgia, and James S. Gaines, mathematician on the part of the State of Tennessee, on a rock about two feet high, four inches thick, and fifteen inches broad, engraved on the north side thus: "June 1st, 1818; var. 6¾ east," and on the south side thus: "Geo. 35 North; J. Cormack," which rock stands one mile and twenty-eight poles from the south bank of the Tennessee River, due south from near the center of the old Indian town of Nickajack, and near the top of the Nickajack Mountain, at the supposed corner of the State of Georgia and Alabama; thence running due east, leaving old D. Ross two miles and eighteen yards in the State of Tennessee, and leaving the house of John Ross about two hundred yards in the State of Georgia, and the house of David McNair one mile and one-fourth of a mile in the State of Tennessee, with blazed and mile-marked trees, lessening the variation of the compass by degrees, closing it at the termination of the line on the top of the Unicoi Mountain at five and one-half degrees. (*Vide* C. Stat. of Tenn., pp. 243-244.)

The boundary between Georgia and Florida was fixed by the treaty of 1783, between the United States and Great Britain, substantially as at present, viz: Commencing in the middle of the Apalachicola or Catahouche River, on the thirty-first degree of north latitude; thence along the middle thereof to its junction with the Flint River; thence straight to the head of Saint Mary's River, and thence down along the middle of Saint Mary's River to the Atlantic ocean (*vide* Treaty of 1783). This boundary was affirmed by the treaty of 1795 between the United States and Spain, and commissioners were appointed to run the entire line between the United States and the Spanish territory. (*Vide* Treaty of 1795.)

In 1819 Spain ceded the Floridas to the United States. In 1822 Florida was made a Territory and in 1825 was admitted into the Union as an independent State.

In 1826 Congress took action as indicated below:

UNITED STATES STATUTES AT LARGE, NINETEENTH CONGRESS, SESSION 1, 1826.

AN ACT to authorise the President of the United States to run and mark a line dividing the Territory of Florida from the State of Georgia.

The line shall be run straight from the junction of said rivers Chatahoochie and Flint, to the point designated as the head of Saint Mary's River.

This boundary line was long unsettled, a controversy arising concerning the true point to be considered to be the head of the Saint Mary's

River, as Georgia contended that the point fixed upon by the Spanish and American commissioners under the treaty of 1795 was incorrect.

In 1859 commissioners were appointed by Georgia and Florida to rerun the line. Florida ratified their report in 1861, and Georgia in 1866.

The detailed report of the commissioners is not at hand, but the line is declared in the statutes of Georgia as follows, viz:

> From a point on the western bank of the Chattahoochee River in the 31st degree of north latitude; thence along the line or limit of high-water mark to its junction with the Flint River; thence along a certain line of survey made by Gustavus J. Orr, a surveyor on the part of Georgia, and W. Whitner, a surveyor on the part of Florida, beginning at a four-and-aft tree, about four chains below the present junction; thence along this line east, to a point designated thirty-seven links north of Ellicott's Mound on the St. Mary's River; thence along the middle of said river to the Atlantic Ocean. (*Vide* Code of Ga., 1873, p. 7.)

This line is also given in the code of Florida, and differs in one respect, viz, from the thirty-first degree of north latitude down the middle of said river to its confluence with the Flint River, etc. (*Vide* Code of Florida, 1872.)

The line between Georgia and Alabama was fixed by the act of cession of Georgia to the United States in 1802.

In 1822–'25, Georgia desiring to have the line run from the Chattahoochee to where it strikes the Tennessee line, appointed commissioners for that purpose, and requested the co-operation of Alabama and the United States, both, however, failing to take action. The Georgia commissioners ran the line from Nickajack, on the Tennessee line, to Miller's Bend, on the Chattahoochee. (For a history of the controversy concerning this line, *vide* laws of Georgia, 1822–'24–'25–'26.)

Alabama protested against the above line and made repeated efforts to reopen negotiations concerning it, to all which Georgia sturdily refused to accede, until finally, January 24, 1840, the legislature of Alabama passed the following joint resolution, viz:

> *Resolved*, That the State of Alabama will, and do, hereby accept, as the true dividing line between this State and that of Georgia, the line which was run and marked out by the commissioners of Georgia in 1826, beginning at what is called Miller's Bend, on the Chattahoochee River; thence along said marked line to Nickajack.

The line is given in the code of Alabama in the following words, viz:

> The boundary line between Alabama and Georgia commences on the west side of the Chattahoochee River at the point where it enters the State of Florida; from thence up the river, along the western bank thereof, to the point on Miller's Bend next above the place where the Uchee Creek empties into such river; thence in a direct line to Nickajack. (See code of Alabama, 1876, p. 189.)

In James's Hand-book of Georgia, 1876, p. 121, is the following description of the western boundary of Georgia, viz:

> From Nickajack the line between Georgia and Alabama runs south 9° 30′ east to Miller's Bend, on the Chattahoochee River, about 146 miles; thence down the western bank of the river at high-water mark to its junction with Flint River, at a point now four chains below the actual junction, latitude 30° 42′ 42″, longitude 80° 53′ 15″.

FLORIDA.

Florida was originally settled by the Spaniards, and was held as a Spanish province nearly two hundred years. In 1762 it was ceded by Spain to Great Britain, who divided it into the two provinces of East and West Florida, separated by the Appalachicola River, with a northern boundary substantially as at present. (*Vide* Fairbanks' History of Florida.)

In 1783 Great Britain retroceded Florida to Spain, and the northern boundary was fixed by the treaty of peace between the United States and Great Britain signed in the same year. Spain, however, claimed the territory as far north as the parallel of latitude of the mouth of the Yazoo River.

Previous to this, in 1763, France had ceded Louisiana to Spain, which Spain retroceded to France in 1800, and in 1803 France ceded the same to the United States, who claimed that the eastern boundary of the said province of Louisiana, so often ceded, was the Perdido River, while Spain claimed it to be the Iberville River and Lakes Maurepas and Pontchartrain. The controversy arising from the difference of interpretation of these various treaties and cessions was terminated by the treaty of Washington in 1819, whereby Spain ceded to the United States the provinces of East and West Florida.

On March 30, 1822, by an act of Congress, the territory ceded to the United States by Spain was made the "Territory of Florida," embracing the same extent as does the present State.

On March 3, 1845, Florida was admitted into the Union as an independent State.

(For a history of the northern boundary of Florida *vide* Georgia, p. 99.)

In 1831 Congress passed an act relating to the boundary between Florida and Alabama, of which the following is an extract:

AN ACT to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes.

That the President of the United States be, and he is hereby, authorized to cause to be run and marked the boundary line between the State of Alabama and the Territory of Florida, by the surveyors-general of Alabama and Florida, on the thirty-first degree of north latitude.

* * * * * * *

(*Vide* U. S. Stat. at Large, Vol. IV, p. 479.)

In 1847 the agreement of commissioners previously appointed by Florida and Alabama was ratified, and the line is described as follows, viz:

Commencing on the Chattahoochee River near a place known as "Irwin's Mills" and running west to the Perdido, marked throughout by blazes on the trees, and also by mounds of earth thrown up on the line at distances of one mile, more or less, from each other, and commonly known as "Ellicott's Line," or the "Mound Line." (*Vide* Florida Code, 1873, p. 100.)

The line between the two States is given in general terms in the Florida Code as follows, viz:

> Commencing at the mouth of the Perdido River, from thence up the middle of said river to where it intersects the south boundary line of the State of Alabama and the thirty-first degree of north latitude; then due east to the Chattahoochee River.

ALABAMA.

In 1798 the United States formed the Territory of Mississippi, including—

> All that tract of country bounded on the west by the Mississippi, on the north by a line to be drawn due east from the mouth of the Yazous to the Chattahouchee River, on the east by the Chattahouchee River, and on the south by the thirty-first degree of north latitude. (*Vide* U. S. Stat. at Large, Vol. I, p. 549.)

In this act was a clause reserving the right of Georgia and of individuals to the jurisdiction of the soil thereof.

South Carolina and Georgia having ceded to the United States their claim to territory west of their present limits, the General Government, in 1804, by an act of Congress, annexed the tract of country lying north of Mississippi Territory and south of the State of Tennessee, and bounded on the east by Georgia and west by Louisiana, to the Territory of Mississippi. (*Vide* U. S. Stat. at Large, Vol. II, p. 305.) Also in 1812 the United States added to Mississippi Territory all the lands lying east of Pearl River, west of the Perdido and south of the thirty-first degree of latitude. (*Vide* U. S. Stat. at Large, Vol. II, p. 734.)

By these additions the Territory of Mississippi was made to comprise what is now included in the two States of Alabama and Mississippi. On March 3, 1817, by an act of Congress the Territory of Alabama was formed from the eastern portion of the Territory of Mississippi, with the following boundaries, viz:

> Beginning at the point where the line of the thirty-first degree of north latitude intersects the Perdido River; thence east to the western boundary line of the State of Georgia; thence along said line to the southern boundary line of the State of Tennessee; thence west along said boundary line to the Tennessee River; thence up the same to the mouth of Bear Creek; thence by a direct line to the northwest corner of Washington County; thence due south to the Gulf of Mexico; thence, eastwardly, including all the islands within 6 leagues of the shore, to the Perdido River; and thence up the same to the beginning. (*Vide* U. S. Stat. at Large, Vol. III, p. 371.)

On December 14, 1819, Alabama was admitted as an independent State, with the above boundaries. It was, however, made the duty of the surveyor of the public lands south of Tennessee and the surveyor of lands in Alabama Territory to run and cut out the line of demarcation between the two States of Alabama and Mississippi, and if it should appear to said surveyors that so much of the line designated as running due south from the northwest corner of Washington County to the Gulf of Mexico should encroach on the counties of Wayne, Greene, and Jackson, in the State of Mississippi, then the same should be altered so as to run in a direct line from the northwest corner of Washington County to a point on the Gulf of Mexico 10 miles east of the mouth of the River Pascagoula. (*Vide* U. S. Stat. at Large, Vol. III, p. 490.)

(For the history of the boundaries between Alabama and Georgia *vide* Georgia, p. 98. For the history of the boundaries between Alabama and Florida, *vide* Florida, p. 101.)

The boundary between Alabama and Tennessee is the thirty-fifth parallel of north latitude (*vide* North Carolina, p. 94); from Nickajack (*vide* Georgia, p. 98) west across the Tennessee River, and on to the second intersection of said river by said parallel. (*Vide* Alabama Code, 1876, p. 189.)

The boundary between Alabama and Mississippi was to be run by surveyors, under the act of admission of Alabama. The report of said surveyors is not at hand, but the line as laid down in the Mississippi Code is as follows, viz:

> Beginning at a point on the west bank of the Tennessee River, six four-pole chains south of, and above, the mouth of Yellow Creek; thence up the said river to the mouth of Bear Creek; thence by a direct line to what was formerly the northwest corner of Washington County, Alabama; thence in a direct line to a point ten miles east of the Pascagoula River, on the Gulf of Mexico. (*Vide* Mississippi Code, pp. 48, 49).

MISSISSIPPI.

(For the early history of the extent of Mississippi Territory *vide* Alabama, p. 102.)

On December 10, 1817, the western part of the Mississippi Territory was made a State and admitted into the Union, with the following boundaries, viz:

> Beginning on the river Mississippi at the point where the southern boundary of the State of Tennessee strikes the same; thence east along the said boundary line to the Tennessee River; thence up the same to the mouth of Bear Creek; thence by a direct line to the northwest corner of the county of Washington; thence due south to the Gulf of Mexico; thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl River with Lake Borgne; thence up said river to the thirty-first degree of north latitude; thence west along said degree of latitude to the Mississippi River; thence up the same to the beginning. (*Vide* U. S. Stat. at Large, Vol. III, p. 348.)

(For further information concerning eastern boundary, *vide* Alabama, p. 102.)

In 1819 the line between Mississippi and Tennessee was run by commissioners. Their report is not at hand. In 1833 the legislature of

Tennessee passed an act establishing "Thompson's line." The details of "Thompson's line" have not been found. In 1837 the line was again run by commissioners from the two States, and ratified by the legislatures. The commissioners' report was as follows, viz:

> Commencing at a point on the west bank of the Tennessee River six four-pole chains south, or above the mouth of Yellow Creek, and about three-quarters of a mile north of the line known as "Thompson's line," and twenty-six chains and ten links north of Thompson's line at the basis meridian of the Chickasaw surveys, and terminating at a point on the east bank of the Mississippi River (opposite Cow Island) sixteen chains north of Thompson's line. (See Laws of Tennessee, 1837, p. 27.)

The boundaries were fixed by the act of Congress admitting the State of Mississippi, as follows, viz:

> Commencing at the most eastern junction of Pearl River with Lake Borgne, thence up said Pearl River to the thirty-first degree of north latitude, thence west along said degree of latitude to the Mississippi River, thence up the same to the point where the southern boundary of Tennessee strikes the same. (See U. S. Laws, vol. 6, p. 175.)

Mississippi claims to the middle of the Mississippi River, where the river forms her western boundary. (See Rev. Stat., 1857.)

LOUISIANA.

The original territory of Louisiana was acquired from France (see p. 19). In 1804, a portion of this, comprising the area of the present State of Louisiana, with the exception of the southeastern portion immediately adjoining the present State of Florida, was organized into a territory under the name of Orleans, while the balance of the Louisiana purchase retained the name of Louisiana Territory. On April 30, 1812, the Territory of Orleans was admitted as a State under the name of Louisiana, and at the same time the name of the Territory of Louisiana was changed to Missouri Territory. In the same year the limits of the State were enlarged in the southeast to its present boundaries.

The following act defines the Territory of Orleans:

> All that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi territory, and of an east and west line to commence on the Mississippi River at the thirty-third degree of north latitude, and to extend west to the western boundary of the said cession, shall constitute a Territory of the United States, under the name of the Territory of Orleans. (Eighth Congress, first session.)

The following clause from the act admitting Louisiana defines its original boundaries:

> Beginning at the mouth of the river Sabine, thence by a line to be drawn along the middle of said river, including all islands, to the thirty-second degree of latitude; thence due north to the northernmost part of the thirty-third degree of north latitude; thence along the said parallel of latitude to the river Mississippi; thence down

the said river to the river Iberville; and from thence along the middle of the said river and lakes Maurepas and Pontchartrain to the Gulf of Mexico; thence, bounded by the said Gulf, to the place of beginning, including all islands within three leagues of the coast. (Twelfth Congress, first session.)

The following is a description of the addition to the State of Louisiana, in terms of the act:

Beginning at the junction of the Iberville with the river Mississippi, thence along the middle of the Iberville, the river Amite, and of the lakes Maurepas and Pontchartrain, to the eastern mouth of the Pearl River; thence up the eastern branch of Pearl River to the thirty-first degree of north latitude; thence along the said degree of latitude to the river Mississippi; thence down the said river to the place of beginning, shall become and form a part of the State of Louisiana. (Twelfth Congress, first session.)

TEXAS.

Texas declared its independence of Mexico in 1835. On December 29, 1845, it was admitted to the Union. As originally constituted, it embraced besides its present area the region east of the Rio Grande, now in New Mexico, extending north to the Arkansas River, its eastern limits coinciding with the western limit of the United States, as laid down in the treaty with Spain of 1819.

In 1848, the eastern boundary of the State was extended slightly, as noted in the following act:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Congress consents that the legislature of the State of Texas may extend her eastern boundary so as to include within her limits one-half of Sabine Pass, one-half of Sabine Lake, also one-half of Sabine River, from its mouth as far north as the thirty-second degree of north latitude.

In 1850, the State sold to the General Government, for the sum of $10,000,000, that part lying north of the parallel of 36° 30′, and that portion lying west of longitude 103°, as far south as the parallel of 32°, as set forth in the following clause from the act of Congress relating to this transfer:

First. The State of Texas will agree that her boundary on the north shall commence at the point at which the meridian of one hundred degrees west from Greenwich is intersected by the parallel of thirty-six degrees thirty minutes north latitude, and shall run from said point due west to the meridian of one hundred and three degrees west from Greenwich; thence her boundary shall run due south to the thirty-second degree of north latitude; thence on the said parallel of thirty-two degrees of north latitude to the Rio Bravo del Norte, and thence with the channel of said river to the Gulf of Mexico. (Thirty-first Congress, first session.)

The following act defines the northern boundary of Texas:

AN ACT to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas.

Beginning at the point where the one hundredth degree of longitude west from Greenwich crosses Red River, and running thence north to the point where said one hundredth degree of longitude intersects the parallel of thirty-six degrees thirty minutes north latitude, and thence west with the said parallel of thirty-six degrees and thirty minutes north latitude to the point where it intersects the one hundred and third degree of longitude west from Greenwich; and thence south with the said one hundred and third degree of longitude to the thirty-second parallel of north latitude; and thence west with said thirty-second degree of north latitude to the Rio Grande. (Thirty-fifth Cong., first session.)

The boundary line of Texas is as follows:

Beginning in the Gulf of Mexico, at the outlet of Sabine Lake, the line passes northward through the middle of Sabine Lake and up the middle of Sabine River to the point where said river intersects the parallel of thirty-two degrees; thence north along the meridian of that point of intersection to the point where said meridian intersects Red River; thence up Red River to the one hundredth meridian west of Greenwich; thence north on said meridian to the parallel of thirty-six degrees thirty minutes; west on said parallel to the meridian of one hundred and three degrees west of Greenwich; thence south on said meridian to the parallel of latitude of 32°; thence west on that parallel to its point of intersection with the Rio Grande; thence down the mid-channel of the Rio Grande to its mouth.

ARKANSAS.

The Territory of Arkansas, or Arkansaw, as it was originally spelled, was formed on March 2, 1819, from a part of Missouri Territory. The following clause from the act establishing it defines its limits in part:

All that part of the Territory of Missouri which lies south of a line beginning on the Mississippi River at thirty-six degrees north latitude, running thence west to the River St. François, thence up the same to 36° 30′ north latitude, and thence west to the western territorial boundary line, shall, for the purposes of a Territorial government, constitute a separate Territory and be called the Arkansaw Territory.

In 1824 an act was passed by Congress fixing the western boundary of the Territory. This was as follows:

AN ACT to fix the western boundary line of the Territory of Arkansas, and for other purposes.

The western boundary line of the Territory of Arkansas shall begin at a point forty miles west of the southwest corner of the State of Missouri and run south to the right bank of the Red River, and thence down the river and with the Mexican boundary to the line of the State of Louisiana.

Four years later, in 1828, the following act was passed defining its southern boundary:

AN ACT to authorize the President of the United States to run and mark a line dividing the Territory of Arkansas from the State of Louisiana.

Commencing on the right bank of the Mississippi River at latitude thirty-three degrees north and running due west on that parallel of latitude to where a line running due north from latitude thirty-two degrees north on the Sabine River will intersect the same.

The same year the following treaty changed materially the western line of the Territory, placing it in its present position.

TREATY WITH THE CHEROKEE INDIANS MAY 26, 1828.

TICLE 1.—The western boundary of Arkansas shall be, and the same is, hereby
ed, viz: A line shall be run, commencing on Red River at the point where the
rn Choctaw line strikes said river, and run due north with said line to the River
nsas; thence in a line to the southwest corner of Missouri.

he Eastern Choctaw line, referred to above, starts on the Arkansas
r, "one hundred paces west of Fort Smith, and thence due south to
Red River." (Treaty with Choctaw Nation, January 20, 1825.)

rkansas was admitted as a State June 15, 1836.

he following extracts from the enabling act, and from various con-
tions, give statements of the boundaries, differing slightly from
another, but, for the most part, only in wording:

CONSTITUTION OF ARKANSAS, 1836.

ginning in the middle of the main channel of the Mississippi River on the parallel
degrees north latitude; running from thence west with the parallel of latitude
e Saint Francis River; thence up the middle of the main channel of said river to
parallel of thirty-six degrees thirty minutes north; from thence west to the
hwest corner of the State of Missouri; and from thence to be bounded on the west
e north bank of Red River, as by acts of Congress and treaties heretofore defining
western limits of the Territory of Arkansas, and to be bounded on the south side of
River by the Mexican boundary line to the northwest corner of the State of
isiana; thence east by the Louisiana state line to the middle of the main channel
he Mississippi River; thence up the middle of the main channel of said river to
thirty-sixth degree of north latitude, the point of beginning.

gain, in the enabling act for Arkansas, 1836 (Twenty-fourth Con-
s, first session), the boundaries are found to be defined as follows:

ginning in the middle of the main channel of the Mississippi River, on the
llel of thirty-six degrees north latitude, running from thence west, with the said
llel of latitude, to the St. Francis River; thence up the middle of the main channel
aid river to the parallel of thirty-six degrees thirty minutes north; from thence
to the southwest corner of the State of Missouri; and from thence to be bounded
he west, to the north bank of Red River, by the line described in the first article
he treaty between the United States and the Cherokee Nation of Indians, west of
Mississippi, made and concluded at the city of Washington, on the twenty-sixth
of May, in the year of our Lord one thousand eight hundred and twenty-eight;
to be bounded on the south side of Red River by the Mexican boundary line to
northwest corner of the State of Louisiana; thence east with the Louisiana state
to the middle of the main channel of the Mississippi River; thence up the middle
he main channel of the said river to the thirty-sixth degree of north latitude, the
nt of beginning.

n the constitution of 1864 the boundaries are defined as follows:

ginning in the middle of the Mississippi River, on the parallel of thirty-six de-
s north latitude, to the St. Francis River; thence up the middle of the main chan-
of said river to the parallel of thirty-six degrees thirty minutes north, thence
t to the southwest corner of the State of Missouri; and from thence to be bounded
he west to the north bank of Red River, as by acts of Congress of the United
tes, and the treaties heretofore defining the western limits of the Territory of Ar-
nsas; and to be bounded on the south side of Red River by the boundary line of the
te of Texas, to the northwest corner of the State of Louisiana; thence east with
Louisiana state line to the middle of the main channel of the Mississippi River;

thence up the middle of the main channel of said river to the thirty-sixth degree of north latitude, the point of beginning.

The constitution of 1868 differs but slightly from the last. It is as follows:

> Beginning at the middle of the main channel of the Mississippi River, on the parallel of 36° north latitude, running from thence west, with the said parallel of latitude, to the Saint Francis River; thence up the middle of the main channel of said river to the parallel of 36° 30′ north; from thence west with the boundary line of the State of Missouri to the southwest corner of that State; and thence to be bounded on the west to the north bank of Red River, as by acts of Congress and treaties heretofore defining the western limits of the Territory of Arkansas; and to be bounded on the south side of Red River by the boundary line of the State of Texas to the northwest corner of the State of Louisiana; thence east with the Louisiana State line to the middle of the main channel of the Mississippi River; thence up the middle of the main channel of said river, including an island in said river known as "Belle Point Island," to the 36° of north latitude, the place of beginning.

In the constitution of 1874 there are again slight differences, mainly in wording.

> Beginning at the middle of the main channel of the Mississippi River, on the parallel of thirty-six degrees of north latitude; running thence west with said parallel of latitude to the middle of the main channel of the Saint Francis River; thence up the main channel of said last-named river to the parallel of thirty-six degrees thirty minutes of north latitude; thence west with the southern boundary line of the State of Missouri to the southwest corner of said last-named State; thence to be bounded on the west to the north bank of Red River, as by act of Congress and treaties existing January 1, 1837, defining the western limits of the Territory of Arkansas and to be bounded across and south of Red River by the boundary line of the State of Texas as far as to the northwest corner of the State of Louisiana; thence easterly with the northern boundary line of said last-named State, to the middle of the main channel of the Mississippi River; thence up the middle of the main channel of said last-named river, including an island in said river known as "Belle Point Island," and all other land originally surveyed and included as a part of the Territory or State of Arkansas to the thirty-sixth degree of north latitude, the place of beginning.

TENNESSEE.

Tennessee was originally a part of North Carolina. (For further information *vide* North Carolina, p. 92.)

In 1790 it was ceded to the United States. Its boundaries described in the act of cession are, substantially, those of the present day.

On June 1, 1796, by an act of Congress it was admitted into the Union. The act of admission declares its boundaries, as "All the territory ceded by North Carolina."

(For the history of the eastern boundary *vide* North Carolina, p. 94; for the southern boundary *vide* Georgia, p. 99, Alabama, p. 103, and Mississippi, p. 103.)

The Mississippi River forms its western boundary under the treaty of peace of 1783.

The line which divided Virginia and North Carolina was the southern boundary of Kentucky. Virginia and North Carolina, prior to the erection of the States of Kentucky and Tennessee, appointed commissioners, Messrs. Walker and Henderson, to run and mark the line on the parallel of latitude 36° 30′. From a point on the top of the Cumberland Mountains, now the southeastern corner of Kentucky, Walker ran and marked the line to a point on the Tennessee River. This line, called Walker's line, was regarded for many years as the dividing line between Kentucky and Tennessee. It was ascertained, however, that Walker's line was north of latitude 36° 30′.

The Indian title to the land west of the Tennessee River being extinguished by the treaty of 1819, the legislature appointed Robert Alexander and Luke Munsell to ascertain the true point of latitude 36° 30′ on the Mississippi River, and to run and mark a line east on that parallel, which was done as far east as the Tennessee River. (For above, see Gen. Stat. Ky., 1873, p. 167.)

In 1820 commissioners were appointed by Kentucky and Tennessee, respectively, to settle the boundary. Their report was ratified, and is as follows, viz:

ART. I. The line of boundary and separation between the States of Kentucky and Tennessee shall be as follows, viz:

The line run by the Virginia commissioners in the year 1779–'80, commonly called Walker's line, as the same is reputed, understood, and acted upon by the said States, their respective officers and citizens, from the southeastern corner of Kentucky to the Tennessee River; thence with and up said river to the point where the line of Alexander and Munsell, run by them in the last year under the authority of an act of the legislature of Kentucky entitled "An act to run the boundary line between this State and the State of Tennessee, west of the Tennessee River, approved Feb. 8, 1819," would cross said river, and thence with the said line of Alexander and Munsell, to the termination thereof on the Mississippi River below New Madrid.

Then follow nine other articles.

Article III provides for running and marking the line at any subsequent time. (See General Stat. Kentucky, page 170.)

In 1858–'59 commissioners were appointed by Kentucky and Tennessee to run this line.

The detailed report can be found in Statutes of Tennessee, 1871, Vol. I, pages 223–243, giving courses, bearings, mile-stones erected, and a map of the boundary.

(For a history of the boundary between Virginia and Tennessee, *vide* Virginia, p. 91.)

KENTUCKY.

Kentucky was included in the original limits of Virginia, and was a part of the county of Augusta. Augusta County was formed in 1738. In 1769 Botetourt County was created from a portion of Augusta County; in 1772, Fincastle from Botetourt; in 1776, Kentucky from Fincastle.

The boundaries of all these counties may be found in Hening's Laws of Virginia, Vols. I to IX.

In 1789 Virginia passed an act giving her consent that the county o Kentucky, within her jurisdiction, should be formed into a new State. Accordingly, June 1, 1792, Kentucky was admitted into the Union, with substantially her present boundaries.

By the cession of 1784, by Virginia to the United States, of the territory northwest of the Ohio River, this river became the northwest boundary of the State of Kentucky.

The western boundary, the Mississippi, was fixed by the treaty o peace in 1783.

(For a history of the boundary between Kentucky and Virginia and West Virginia, *vide* Virginia, p. 90, for the boundary between Kentucky and Tennessee, *vide* Tennessee, p. 109.)

OHIO.

Ohio was the first State formed from the original territory northwest of the river Ohio. It was admitted as a State on November 29, 1802, with limits given in the enabling act as follows:

> Bounded on the east by the Pennsylvania line, on the south by the Ohio River, to the mouth of the Great Miami River, on the west by the line drawn due north from the mouth of the Great Miami aforesaid, and on the north by an east and west line drawn through the southerly extreme of Lake Michigan, running east after intersecting the due-north line aforesaid, from the mouth of the Great Miami until it shall intersect Lake Erie or the territorial line; and thence with the same through Lake Erie to the Pennsylvania line aforesaid: *Provided*, That Congress shall be at liberty at any time hereafter either to attach all the territory lying east of the line to be drawn due north from the mouth of the Miami aforesaid to the territorial line, and north of an east and west line drawn through the southerly extreme of Lake Michigan, running east as aforesaid to Lake Erie, to the aforesaid State, or dispose of it otherwise, in conformity to the fifth article of compact between the original States and the people and States to be formed in the territory northwest of the river Ohio. (Seventh Congress, first session.)

In the constitution of Ohio of 1802, Article VII, the boundaries are defined as follows:

> Bounded on the east by the Pennsylvania line; on the south by the Ohio River, to the mouth of the Great Miami River; on the west by the line drawn due north from the mouth of the great Miami aforesaid; and on the north by an east and west line drawn through the southerly extreme of Lake Michigan, running east after intersecting the due north line aforesaid from the mouth of the Great Miami, until it shall intersect Lake Erie or the territorial line; and thence with the same through Lake Erie to the Pennsylvania line aforesaid; provided always, and it is hereby fully understood and declared by this convention, that if the southerly bend or extreme of Lake Michigan should extend so far south that a line drawn due east from it should

not intersect Lake Erie, or if it should intersect the said Lake Erie east of the mouth of the Miami River of the Lake, then, and in that case, with the assent of the Congress of the United States, the northern boundary of this State shall be established by, and extending to, a direct line running from the southern extremity of Lake Michigan to the most northerly cape of the Miami Bay, after intersecting the due-north line from the mouth of the Great Miami River as aforesaid; thence northeast to the territorial line, and by the said territorial line to the Pennsylvania line.

In accordance with the provisions in the enabling act, and in the first constitution of the State, the northern boundary of the State was changed so that, instead of running on a parallel drawn from the southern extremity of Lake Michigan, it followed the arc of a great circle drawn from the southern extremity of Lake Michigan to the most northern cape of Maumee ("Miami") Bay.

Following are the text of the act providing for the examination of the northern boundary and that of the act making the change in the boundary.

AN ACT to provide for the taking of certain observations preparatory to the adjustment of the northern boundary line of the State of Ohio.

That the President of the United States cause to be ascertained, by accurate observation, the latitude and longitude of the southerly extreme of Lake Michigan; and that he cause to be ascertained, by like observation, the point on the Miami of the Lake which is due east therefrom, and also the latitude and longitude of the most northerly cape of the Miami Bay; also, that he cause to be ascertained, with all practicable accuracy, the latitude and longitude of the most southerly point in the northern boundary line of the United States in Lake Erie, and also the points at which a direct line drawn from the southerly extreme of Lake Michigan to the most southerly point in said northern boundary line of the United States will intersect the Miami River and Bay; and also that he cause to be ascertained, by like observation, the point in the Mississippi which is due west from the southerly extreme of Lake Michigan; and that the said observations be made and the result thereof returned to the proper Department within the current year. (Twenty-second Congress, first session, 1832.)

AN ACT to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union.

The northern boundary line of the State of Ohio shall be established at and shall be a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of the Maumee (Miami) Bay after that line, so drawn, shall intersect the eastern boundary line of the State of Indiana; and from the said north cape of the said bay northeast to the boundary line between the United States and the province of Upper Canada, in Lake Erie, and thence, with the said last-mentioned line, to its intersection with the western line of the State of Pennsylvania. (Twenty-fourth Congress, first session, 1836.)

INDIANA.

By the act passed in the year 1800, to take effect on and after the 4th day of July of that year, the Territory Northwest of the River Ohio was divided into two parts, the eastern part to retain the old name, the western part to become the Territory of Indiana.

Under this act the Territory of Indiana was organized. The description of the boundary line between these two Territories is given in the following act establishing them:

> That from and after the fourth day of July next all that part of the territory of the United States northwest of the Ohio River, which lies to the westward of a line beginning at the Ohio, opposite to the mouth of Kentucky River, and running thence to Fort Recovery, and thence north until it shall intersect the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate Territory, and be called Indiana Territory.
>
> SEC. 5. That whenever that part of the territory of the United States which lies to the eastward of a line beginning at the mouth of the Great Miami River, and running thence due north to the territorial line between the United States and Canada, shall be erected into an independent State, and admitted into the Union on an equal footing with the original States, thenceforth said line shall become and remain permanently the boundary line between such State and the Indiana Territory, anything in this act contained to the contrary notwithstanding. (Sixth Congress, first session.)

Ohio was admitted in 1802. Its western boundary, a meridian through the mouth of the Miami River, left a narrow strip of country between Ohio and the Territory of Indiana, which was by a clause in the enabling act of Ohio added to Indiana Territory. The following is the clause in question:

> SEC. 3. All that part of the territory of the United States northwest of the river Ohio heretofore included in the eastern division of said Territory, and not included within the boundary herein prescribed for the said State, is hereby attached to and made a part of the Indiana Territory.

On the 30th of June, 1805, the northern portion of Indiana Territory was cut off and organized as Michigan Territory. (For the divisional line between these, see Michigan, p. 113.)

On March 1, 1809, Indiana Territory was divided, and the western portion of it organized as Illinois Territory. (For a description of the divisional line between these two Territories, see Illinois, p. 113.) On December 11, 1816, Indiana was admitted as a State with the limits as given in the following extract from the enabling act, which have not since been changed:

> AN ACT to enable the people of the Indiana Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.
>
> The said State shall consist of all the territory included within the following boundaries, to wit: Bounded on the east by the meridian line which forms the western boundary of the State of Ohio; on the south by the river Ohio from the mouth of the Great Miami River to the mouth of the river Wabash; on the west by a line drawn along the middle of the Wabash from its mouth to a point where a due north line drawn from the town of Vincennes would last touch the northwestern shore of the said river; and from thence by a due north line, until the same shall intersect an east and west line drawn through a point 10 miles north of the southern extreme of Lake Michigan; on the north by the said east and west line until the same shall intersect the first-mentioned meridian line which forms the western boundary of the State of Ohio. (Fourteenth Congress, first session.)

ILLINOIS.

Illinois Territory, originally part of the Northwest Territory, and subsequently a part of Indiana Territory, was organized on March 1, 1809. The following clause from the act separating it from Indiana Territory, defines its boundary:

AN ACT for dividing the Indiana Territory into two separate governments.

From and after the first day of March next, all that part of the Indiana Territory which lies west of the Wabash River and a direct line drawn from the said Wabash River and Post Vincennes due north to the territory line between the United States and Canada shall, for the purpose of temporary government, constitute a separate Territory and be called Illinois. (Tenth Congress, second session.)

On December 3, 1818, it was admitted as a State, with its present boundaries. The enabling act defines these boundaries as follows:

AN ACT to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.

The said State shall consist of all the territory included within the following boundaries, to wit: Beginning at the mouth of the Wabash River; thence up the same and with the line of Indiana to the northwest corner of said State; thence east with the line of the same State to the middle of Lake Michigan; thence north along the middle of said lake to north latitude forty-two degrees thirty minutes; thence west to the middle of the Mississippi River; and thence down along the middle of that river to its confluence with the Ohio River; and thence up the latter river along its northwestern shore to the beginning. (Fifteenth Congress, second session.)

MICHIGAN.

Michigan was organized as a Territory June 30, 1805, from the northern part of Indiana Territory.

The following clause from the act dividing Indiana Territory defines its limits:

From and after the thirtieth day of June next all that part of the Indiana Territory which lies north of a line drawn east from the southerly bend or extreme of Lake Michigan, until it shall intersect Lake Erie, and east of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, shall, for the purpose of temporary government, constitute a separate Territory, and be called Michigan. (Eighth Congress, second session.)

The enabling act for Illinois, passed in 1818, contained a provision transferring to the Territory of Michigan the portion of the Territory of Illinois not included in the State of that name. The following is the text of the clause referred to:

All that part of the territory of the United States lying north of the State of Indiana, and which was included in the former Indiana Territory, together with that part of the Illinois Territory which is situated north of and not included within the boundaries prescribed by this act, to the State thereby authorized to be formed, shall be, and hereby is, attached to and made a part of the Michigan Territory, from and after the formation of the said State.

In 1834 an act was passed extending the limits of the Territory of Michigan to the Missouri River.

The clause of this act relating to area is as follows:

AN ACT to attach the territory of the United States west of the Mississippi River and north of the State of Missouri to the Territory of Michigan.

All that part of the territory of the United States bounded on the east by the Mississippi River, on the south by the State of Missouri and a line drawn due west from the northwest corner of said State to the Missouri River; on the southwest and west by the Missouri River and the White Earth River, falling into the same; and on the north by the northern boundary of the United States, shall be, and hereby is, for the purpose of temporary government, attached to and made a part of the Territory of Michigan.

In 1836 Wisconsin Territory was formed from that part of Michigan Territory lying west of the present limits of the State of that name. (*Vide* Wisconsin, p. 115.)

Reduced to its present limits, as described in the following clause from its enabling act, Michigan was admitted to the Union January 26, 1837:

AN ACT to provide for the admission of the State of Michigan into the Union.

Beginning at the point where the above-described northern boundary of the State of Ohio intersects the eastern boundary of the State of Indiana, and running thence with the said boundary line of Ohio, as described in the first section of this act, until it intersects the boundary line between the United States and Canada in Lake Erie; thence with the said boundary line between the United States and Canada through the Detroit River, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior; thence in a direct line through Lake Superior to the mouth of the Montreal River; thence through the middle of the main channel of the said river Montreal to the middle of the Lake of the Desert; thence in a direct line to the nearest headwater of the Menomonee River; thence through the middle of that fork of the said river first touched by the said line to the main channel of the said Menomonee River; thence down the center of the main channel of the same to the center of the most usual ship channel of the Green Bay of Lake Michigan; thence through the center of the most usual ship channel of the said bay to the middle of Lake Michigan; thence through the middle of Lake Michigan to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and sixteen; thence due east with the north boundary line of the said State of Indiana to the northeast corner thereof; and thence south, with the east boundary line of Indiana, to the place of beginning. (Twenty-fourth Congress, first session.)

The above boundaries remain unchanged.

+ WISCONSIN.

Wisconsin was organized as a Territory July 3, 1836. As originally constituted its area comprised all that part of the former Territory of

+ Vide - Thwaites - Mag. West. Hist. VI nos 5 & 6 p. 487 p. 529

Michigan which lay outside of the present limits of the State of Michigan. The limits are defined in the act for its organization as follows:

> Bounded on the east by a line drawn from the northeast corner of the State of Illinois, through the middle of Lake Michigan, to a point in the middle of said lake and opposite the main channel of Green Bay, and through said channel and Green Bay to the mouth of the Menomonee; thence through the middle of the main channel of said river to that head of said river nearest to the Lake of the Desert; thence in a direct line to the middle of said lake; thence through the middle of the main channel of the Montreal River to its mouth; thence with a direct line across Lake Superior to where the territorial line of the United States last touches said lake northwest; thence on the north with the said territorial line to the White Earth River, on the west by a line from the said boundary line following down the middle of the main channel of White Earth River to the Missouri River, and down the middle of the main channel of the Missouri River to a point due west from the northwest corner of the State of Missouri, and on the south, from said point, due east to the northwest corner of the State of Missouri; and thence with the boundaries of the States of Missouri and Illinois, as already fixed by acts of Congress. (Twenty-fourth Congress, first session.)

In 1838 all that part of the territory lying west of the Mississippi and a line drawn due north from its source to the international boundary—that is, all that part which was originally comprised in the Louisiana purchase—was organized as the Territory of Iowa. (See Iowa, p. 117.)

On August 9, 1846, an enabling act for Wisconsin was passed giving the boundaries as follows:

> Beginning at the northeast corner of the State of Illinois, that is to say, at a point in the center of Lake Michigan where the line of forty-two degrees and thirty minutes of north latitude crosses the same; thence running with the boundary line of the State of Michigan, through Lake Michigan, Green Bay, to the mouth of the Menomonee River; thence up the channel of said river to the Brulé River; thence up said last-mentioned river to Lake Brulé; thence along the southern shore of Lake Brulé in a direct line to the center of the channel between Middle and South Islands in the Lake of the Desert; thence in a direct line to the headwaters of Montreal River, as marked upon the survey made by Captain Cramm; thence down the main channel of the Montreal River to the middle of Lake Superior; thence through the center of Lake Superior to the mouth of the Saint Louis River, thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nicollet's map; thence due south to the main branch of the river Saint Croix; thence down the middle of the main channel of said river to the Mississippi; thence down the center of the main channel of that river to the northwest corner of the State of Illinois; thence due east with the northern boundary of the State of Illinois to the place of beginning. (Twenty-ninth Congress, first session.)

On March 3, 1847, a supplementary act for the admission of Wisconsin was passed by Congress, in which the western boundary of the proposed State was changed as follows:

> That the assent of Congress is hereby given to the change of boundary proposed in the first article of said constitution, to wit: Leaving the boundary line prescribed in the act of Congress entitled "An act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union," at the first rapids in the river St. Louis; thence in a direct line southwardly to a point fifteen miles east of the most easterly point of Lake St. Croix;

thence due south to the main channel of the Mississippi River or Lake Pepin; thence down the said main channel, as prescribed in said act. (Twenty-ninth Congress, second session.)

On May 29, 1848, Wisconsin was admitted into the Union.

MISSOURI.

The name of the Territory of Louisiana was changed in 1812 to Missouri, by act of Congress. At that time the Territory comprised all of the original Louisiana purchase, excepting the State of Louisiana, which had been formed from it. The Territory of Arkansas, with limits very similar to those of the present State, was formed from it in 1819. On August 10, 1821, the *State* of Missouri was formed and admitted, with limits, excepting as to the northwest corner, the same as at present.

Boundaries are defined as follows:

Beginning in the middle of the Mississippi River, on the parallel of thirty-six degrees of north latitude; thence west along that parallel of latitude to the Saint Francois River; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian-line passing through the middle of the mouth of the Kansas River, where the same empties into the Missouri River; thence from the point aforesaid north, along the said meridian line to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said River Des Moines to the mouth of the same where it empties into the Mississippi River; thence due east to the middle of the main channel of the Mississippi River; thence down and following the course of the Mississippi River in the middle of the main channel thereof, to the place of beginning. (Sixteenth Congress, first session.)

In 1836 the boundaries were extended on the northwest to the Missouri River, as described in the following act of the legislature amendatory to the constitution of 1820:

That the boundary of the State be so altered and extended as to include all that tract of land lying on the north side of the Missouri River and west of the present boundary of this State, so that the same shall be bounded on the south by the middle of the main channel of the Missouri River, and on the north by the present northern boundary line of the State, as established by the constitution, when the same is continued in a right line to the west, or to include so much of said tract of land as Congress may assent.

This was ratified by Congress in the following act:

AN ACT to extend the western boundary of the State of Missouri to the Missouri River.

That when the Indian title to all the lands lying between the State of Missouri and the Missouri River shall be extinguished, the jurisdiction over said lands shall be hereby ceded to the State of Missouri, and the western boundary of said State shall be then extended to the Missouri River. (Twenty-fourth Congress, first session.)

The territory remaining after the formation of the State bore the name of Missouri for many years thereafter. Meanwhile, however, it was reduced by the formation of several Territories which were carved from its area. In 1834, the part north of the State of Missouri and east of the Missouri and White Earth Rivers was annexed to the territory of Michigan. (For further history of this portion, *vide* Michigan, p. 114; Iowa, below; Minnesota, p. 118; and Dakota, p. 121.) In 1854 Kansas and Nebraska Territories were formed, absorbing the remainder. (*Vide* Kansas, p. 119, and Nebraska, p. 120.)

The following are the boundaries of Missouri as at present established: The east boundary is the mid-channel of the Mississippi River from the mouth of the Des Moines to its point of intersection with the thirty-sixth parallel of latitude; the south boundary begins at the latter point and runs west on the parallel of 36 degrees of latitude to the Saint Francis River, thence up the mid-channel of that river to the parallel of latitude 36° 30′, thence west on that parallel to its intersection by a meridian passing through the middle of the mouth of the Kansas River; the west boundary is the last mentioned meridian as far north as the mouth of the Kansas River, thence it follows northwestward the mid-channel of the Missouri River to the parallel of latitude 40° 30′; the north boundary is the last-mentioned parallel as far east as its point of intersection with the Des Moines River, whence it follows the mid-channel of the Des Moines River southward to its mouth.

IOWA.

Iowa was organized as a Territory on July 3, 1838, being formed from a portion of Wisconsin Territory. The limits were defined as follows in the act creating it:

> All that part of the present Territory of Wisconsin which lies west of the Mississippi River and west of the line drawn due north from the headwaters or sources of the Mississippi to the Territorial line. (Twenty-fifth Congress, second session. See Wisconsin, p. 115.)

The following clause from an act passed in 1839 is supplementary to the above act:

> AN ACT to define and establish the eastern boundary line of the Territory of Iowa.
>
> That the middle or centre of the main channel of the river Mississippi shall be deemed, and is hereby declared, to be the eastern boundary line of the Territoty of Iowa, so far or to such extent as the said Territory is bounded eastwardly by or upon said river. (Twenty-fifth Congress, third session.)

Iowa was admitted to the Union on March 3, 1845. As originally constituted the limits of the State were quite different from those which it has at present.

The following extract from the enabling act gives the original limits:

That the following shall be the boundaries of the said State of Iowa, to wit: Beginning at the mouth of the Des Moines River at the middle of the Mississippi; thence by the middle of the channel of that river to a parallel of latitude passing through the mouth of the Mankato, or Blue Earth River; thence west along the said parallel of latitude to a point where it is intersected by a meridian line, seventeen degrees and thirty minutes west of the meridian of Washington City; thence due south to the northern boundary line of the State of Missouri; thence eastwardly following that boundary to the point at which the same intersects the Des Moines River; thence by the middle of the channel of that river to the place of beginning. (Twenty-eighth Congress, second session.)

On December 28, 1846, an act was passed changing the boundaries of the State and giving it its present limits.

The following extract from the act defines the boundaries as at present constituted:

Beginning in the middle of the main channel of the Mississippi River, at a point due east of the middle of the mouth of the main channel of the Des Moines River; thence up the middle of the main channel of the said Des Moines River, to a point on said river where the northern boundary line of the State of Missouri, as established by the constitution of that State, adopted June twelfth, eighteen hundred and twenty, crosses the said middle of the main channel of the said Des Moines River; thence westwardly along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersect the middle of the main channel of the Missouri River, to a point opposite the middle of the main channel of the Big Sioux River, according to Nicollet's map; thence up the main channel of the said Big Sioux River, according to said map, until it is intersected by the parallel of forty-three degrees and thirty minutes north latitude; thence east along said parallel of forty-three degrees and thirty minutes, until said parallel intersect the middle of the main channel of the Mississippi River; thence down the middle of the main channel of said Mississippi River, to the place of beginning.

MINNESOTA.

The Territory of Minnesota was organized on March 3, 1849, and originally comprised the portion of the former Territory of Iowa, outside of the limits of the present State of Iowa, extending east to the west boundary line of Wisconsin. The terms of the act creating this Territory, so far as they relate to its boundary, are as follows:

All that part of the territory of the United States which lies within the following limits, to wit: Beginning in the Mississippi River, at the point where the line of forty-three degrees and thirty minutes of north latitude crosses the same; thence running due west on said line, which is the northern boundary of the State of Iowa, to the northwest corner of the said State of Iowa; thence southerly, along the western boundary of said State, to the point where said boundary strikes the Missouri River; thence up the middle of the main channel of the Missouri River to the mouth of the White Earth River; thence up the middle of the main channel of the White Earth River to the boundary line between the possessions of the United States and Great Britain, to Lake Superior; thence along the western boundary line of said State of Wisconsin to the Mississippi River; thence down the main channel of said river to the place of beginning." (Thirtieth Congress, second session.)

Minnesota was admitted as a State on May 11, 1858, with the same boundaries which it has at present. These are given in the enabling act as follows:

Beginning at the point in the center of the main channel of the Red River of the North where the boundary line between the United States and the British Possessions crosses the same; thence up the main channel of said river to that of the Bois des Sioux River; thence up the main channel of said river to Lake Traverse; thence up the center of said lake to the southern extremity thereof; thence in a direct line to the head of Big Stone Lake; thence through its center to its outlet; thence by a due south line to the north line of the State of Iowa; thence east along the northern boundary of said State to the main channel of the Mississippi River; thence up the main channel of said river, and following the boundary line of the State of Wisconsin until the same intersects the Saint Louis River; thence down said river to and through Lake Superior, on the boundary line of Wisconsin and Michigan, until it intersects the dividing line between the United States and the British Possessions; thence up Pigeon River, and following said dividing line, to the place of beginning.

KANSAS.

The Territory of Kansas was organized on May 30, 1854, from a part of Missouri Territory. The following clause from the act of organization defines its limits:

SECTION 19. All that part of the territory of the United States included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operations of this act, to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the east boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning, be, and the same is hereby, created into a temporary government by the name of the Territory of Kansas.

A portion of this Territory was given up to Colorado at the time of its formation in 1861. (*Vide* Colorado, p. 123.)

Kansas was admitted into the Union on January 29, 1861, with its present boundaries, which are thus defined in the enabling act:

The said State shall consist of all the territory included within the following boundaries, to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the twenty-fifth meridian of longitude west from Washington; thence north on said meridian to the fortieth parallel of latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning.

NEBRASKA.

The Territory of Nebraska was formed on May 30, 1854, from the northwestern part of Missouri Territory. Its limits, as originally constituted, are defined as follows in the act of organization:

> Beginning at a point in the Missouri River where the fortieth parallel of north latitude crosses the same; thence west on said parallel to the east boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence on said summit northward to the forty-ninth parallel of north latitude; thence east on said parallel to the western boundary of the Territory of Minnesota; thence southward on said boundary to the Missouri River; thence down the main channel of said river to the place of beginning, be, and the same is hereby, created into a temporary government by the name of the Territory of Nebraska. (Thirty-third Congress, first session.)

This area was reduced in 1861 by the formation of the Territories of Colorado and Dakota. (*Vide* Colorado, p. 123, and Dakota, p. 121.)

The State of Nebraska was admitted on March 1, 1867.

Its limits are defined as follows in the enabling act:

> That the said State of Nebraska shall consist of all the territory included within the following boundaries, to wit: Commencing at a point formed by the intersection of the western boundary of the State of Missouri with the fortieth degree of north latitude; extending thence due west along said fortieth degree of north latitude to a point formed by its intersection with the twenty-fifth degree of longitude west from Washington; thence north along said twenty-fifth degree of longitude to a point formed by its intersection with the forty-first degree of north latitude; thence west along said forty-first degree of north latitude to a point formed by its intersection with the twenty-seventh degree of longitude west from Washington; thence north along said twenty-seventh degree of west longitude to a point formed by its intersection with the forty-third degree of north latitude; thence east along said forty-third degree of north latitude to the Keyapaha River; thence down the middle of the channel of said river, with its meanderings, to its junction with the Niobrara River; thence down the middle of the channel of said Niobrara River, and following the meanderings thereof, to its junction with the Missouri River; thence down the middle of the channel of said Missouri River, and following the meanderings thereof, to the place of beginning. (Thirty-eighth Congress, first session.)

In 1870 an act was passed to redefine a portion of the boundary between Nebraska and the Territory of Dakota, the pertinent portion of which is as follows:

> That so soon as the State of Nebraska, through her legislature, has given her consent thereto, the center of the main channel of the Missouri River shall be the boundary line between the State of Nebraska and Territory of Dakota, between the following points, to wit: Commencing at a point in the center of said main channel, north of the west line of section twenty-four in township twenty-nine north, of range eight east of the sixth principal meridian, and running along the same to a point west of the most northerly portion of fractional section seventeen, of township twenty-nine north, of range nine east of said meridian, in the State of Nebraska, as meandered and shown by the plats and surveys of said sections originally made and now on file in the General Land Office. (Forty-first Congress, second session.)

In 1882 an act was passed transferring to this State from Dakota a small area lying between the Keyapaha River and the forty-third parallel of latitude. The following is the act in question:

> *Be it enacted*, * * * That the northern boundary of the State of Nebraska shall be, and hereby is, subject to the provisions hereinafter contained, extended so as to include all that portion of the Territory of Dakota lying south of the forty-third parallel of north latitude and east of the Keyapaha River and west of the main channel of the Missouri River. (Forty-seventh Congress, first session.)

DAKOTA.

The Territory of Dakota was organized on March 2, 1861, from parts of Minnesota and Nebraska Territories. The following from the act of organization defines its original limits:

> All that part of the territory of the United States included within the following limits, namely: Commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north latitude crosses the same; thence up the main channel of the same, and along the boundary of the State of Minnesota to Big Stone Lake; thence along the boundary line of the said State of Minnesota to the Iowa line; thence along the boundary line of the State of Iowa to the point of intersection between the Big Sioux and Missouri Rivers; thence up the Missouri River and along the boundary line of the Territory of Nebraska to the mouth of the Niobrara or Running Water River; thence following up the same, in the middle of the main channel thereof, to the mouth of the Kahapaha or Turtle Hill River; thence up said river to the forty-third parallel of north latitude; thence due west to the present boundary of the Territory of Washington; thence along the boundary line of Washington Territory to the forty-ninth degree of north latitude; thence east along said forty-ninth degree of north latitude to the place of beginning be, and the same is, hereby organized into a temporary government by the name of the Territory of Dakota. (Thirty-sixth Congress, second session.)

In 1863 the Territory of Idaho was formed, its area having been taken from Washington, Dakota, and Nebraska. (*Vide* Idaho, p. 127.) In 1882 a small area was transferred to Nebraska. (*Vide* Nebraska, above.)

The following description, compiled from the act relating to Dakota and other Territories formed from its area, gives its present limits:

The east boundary is the main channel of the Red River from the forty-ninth parallel southward to Big Stone Lake; from the center of that lake to its outlet; thence by a due south line to the parallel of latitude 43° 30′; thence west on this parallel until it strikes the Big Sioux River; thence down the mid channel of the Big Sioux River to its mouth. The south boundary is the main channel of the Missouri River until it intersects the forty-third parallel of latitude; thence it follows the forty-third parallel of latitude westward to the twenty-seventh degree of longitude. The west boundary is the twenty-seventh degree of longitude, and the north boundary is the forty-ninth parallel of latitude.

MONTANA.

The Territory of Montana was organized May 26, 1864, from a portion of Idaho. Its limits, which have been changed but slightly, are given in the following extract from the organizing act:

> That all that part of the territory of the United States included within the limits to wit: Commencing at a point formed by the intersection of the twenty-seventh degree of longitude west from Washington with the forty-fifth degree of north latitude; thence due west on said forty-fifth degree of latitude to a point formed by its intersection with the thirty-fourth degree of longitude west from Washington; thence due south along said thirty-fourth degree of longitude to its intersection with the forty-fourth degree and thirty minutes of north latitude; thence due west along said forty-fourth degree and thirty minutes of north latitude to a point formed by its intersection with the crest of the Rocky Mountains; thence following the crest of the Rocky Mountains northward till its intersection with the Bitter Root Mountains; thence northward along the crest of said Bitter Root Mountains to its intersection with the thirty-ninth degree of longitude west from Washington; thence along said thirty-ninth degree of longitude northward to the boundary line of the British possessions; thence eastward along said boundary line to the twenty-seventh degree of longitude west from Washington; thence southward along said twenty-seventh degree of longitude to the place of beginning, be, and the same is hereby created into a temporary government by the name of the Territory of Montana. (Thirty-eighth Congress, first session.)

In 1873, Congress, under the erroneous impression that a portion of Dakota remained west of Wyoming, and adjoining Montana, passed an act to attach it to Montana. As, however, no such detached area could by any possibility have existed, the compilers of the Revised Statutes sought to give the act effect by shifting a portion of the southern boundary of Montana from the parallel of 44° 30′ to the continental watershed, thereby reducing Montana's area. The following is the act referred to:

> AN ACT to readjust the western boundary of Dakota Territory.
>
> That all that portion of Dakota Territory lying west of the one hundred and eleventh meridian of longitude which, by an erroneous definition of the boundaries of said Territory by a former act of Congress, remains detached and distant from Dakota proper some two hundred miles, be and the same is hereby attached to the adjoining territory of Montana. (Forty-second Congress, third session.)

The boundaries of Montana are as follows: Beginning at the intersection of the twenty-seventh meridian of longitude with the boundary line between the United States and the British possessions, it follows said meridian south to the forty-fifth parallel of latitude, thence west on this parallel to the thirty-fourth meridian, south on the thirty-fourth meridian to the point where that meridian intersects the continental watershed, thence westward and northwestward following the line of the continental watershed and the summit of the Bitter Root range, to its intersection with the thirty-ninth meridian, thence north on the thirty-ninth meridian to the boundary line between the United States and British possessions and east on that boundary line to the point of beginning.

WYOMING.

Wyoming was organized as a Territory on July 25, 1868, from territory previously comprised in the Territory of Idaho. Its limits, which are the same as originally constituted, are defined in the following clause from the act creating the Territory:

That all that part of the United States described as follows: Commencing at the intersection of the twenty-seventh meridian of longitude west from Washington with the forty-fifth degree of north latitude, and running thence west to the thirty-fourth meridian of west longitude, thence south to the forty-first degree of north latitude, thence east to the twenty-seventh meridian of west longitude, and thence north to the place of beginning, be, and the same is hereby, organized into a temporary government by the name of the Territory of Wyoming. (Fortieth Congress, second session.)

COLORADO.

Colorado was organized as a Territory on February 28, 1861, with the limits which it has at present, being made from portions of Utah, New Mexico, Kansas, and Nebraska.

On August 1, 1876, it was admitted as a State.

The following clause from the enabling act gives its limits:

AN ACT to enable the people of Colorado to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.

SEC. 2. That the said State of Colorado shall consist of all the territory included within the following boundaries, to wit: Commencing at a point formed by the intersection of the thirty-seventh degree of north latitude with the twenty-fifth degree of longitude west from Washington; extending thence due west along said thirty-seventh degree of north latitude to a point formed by its intersection with the thirty-second degree of longitude west from Washington; thence due north along said thirty-second degree of west longitude to a point formed by its intersection with the forty-first degree of north latitude; thence due east along said forty-first degree of north latitude to a point formed by its intersection with the twenty-fifth degree of longitude west from Washington; thence due south along said twenty-fifth degree of west longitude. (Thirty-eighth Congress, first session.)

NEW MEXICO.

New Mexico was organized as a Territory on December 13, 1850. Its original area formed a part of the region transferred by Mexico to the United States by the treaty of Guadalupe Hidalgo and by Texas. It was subsequently enlarged by the Gadsden Purchase. (*Vide* pp. 21 and 22.) The formation of Colorado Territory in 1861 and of Arizona in 1863 reduced its area to its present limits. (*Vide* Colorado, above, and Arizona, p. 125.)

10 3 X 38 w 8 pls

The following clause from the act creating the Territory gives its original limits:

> SECTION 2. And be it further enacted, That all that portion of the territory of the United States bounded as follows: Beginning at a point in the Colorado River, where the boundary line with the Republic of Mexico crosses the same; thence eastwardly with the said boundary line to the Rio Grande; thence following the main channel of said river to the parallel of the thirty-second degree of north latitude; thence east with said degree to its intersection with the one hundred and third degree of longitude west of Greenwich; thence north with said degree of longitude to the parallel of thirty-eighth degree of north latitude; thence west with said parallel to the summit of the Sierra Madre; thence south with the crest of said mountains to the thirty-seventh parallel of north latitude; thence west with said parallel to its intersection with the boundary line of the State of California; thence with said boundary line to the place of beginning—be, and the same is hereby, erected into a temporary government by the name of the Territory of New Mexico. (Thirty-first Congress, first session.)

The present boundaries of New Mexico are as follows: Beginning at the point of intersection of the one hundred and third meridian of longitude west of Greenwich with the thirty-seventh parallel of latitude, running thence south to its point of intersection with the thirty-second parallel of latitude; thence west on this parallel to its intersection with the Rio Grande; thence southerly down the main channel of the Rio Grande to its point of intersection with the boundary line between the United States and Mexico; thence with this boundary to its intersection with the thirty-second meridian of longitude; thence north along this meridian to the thirty-seventh parallel of latitude, and so along that parallel to the point of beginning.

UTAH TERRITORY.

Utah was organized on September 9, 1850, from territory acquired from Mexico by the treaty of Guadalupe-Hidalgo. Its limits originally extended from the eastern boundary of California to the Rocky Mountains, and from the thirty-seventh to the forty-second parallel. This area was reduced by the formation, in 1861, of the Territories of Nevada (*vide* p. 125) and Colorado (*see* p. 123), and in 1864 and 1866 by the extension eastward of the limits of the State of Nevada (*vide* p. 126).

The following is an extract from the act creating the Territory:

> All that part of the territory of the United States included within the following limits, to wit: Bounded on the west by the State of California, on the north by the Territory of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude, be, and the same is hereby, created into a temporary government, by the name of the Territory of Utah.

The present boundaries of Utah are as follows: Commencing with the intersection of the forty-second parallel of latitude with the thirty-fourth meridian of longitude, running thence south on this meridian to the forty-first parallel of latitude, thence east on this parallel to the thirty-second meridian of longitude, thence south on this meridian to its intersection with the thirty-seventh parallel of latitude, thence west upon this parallel of latitude to its intersection with the thirty-seventh meridian of longitude, thence north on this meridian to its intersection with the forty-seventh parallel of latitude, thence east on the forty-seventh parallel of latitude, to the point of beginning.

ARIZONA.

Arizona was organized as a Territory on February 24, 1863. Its area was formerly comprised in the Territory of New Mexico. In 1866 a portion of it was cut off and given to the State of Nevada. (*Vide* Nevada, below.) The following clause from the act creating it gives its limits as originally constituted:

> That all that part of the present Territory of New Mexico situate west of the line running due south from the point where the southwest corner of the Territory of Colorado joins the northern boundary of the Territory of New Mexico to the southern boundary line of said Territory of New Mexico, be, and the same is hereby, erected into a temporary government by the name of the Territory of Arizona. (For limits of the piece cut off and added to Nevada, see that State.)

The present boundaries of Arizona are as follows: Beginning at the point of intersection of the thirty-seventh parallel of latitude with the thirty-second meridian of longitude; thence south along this meridian to its intersection with the boundary line between the United States and Mexico; thence with this boundary to the Colorado River; thence up the middle of the main channel of the Colorado River to its point of intersection with the thirty-seventh meridian of longitude; north on this meridian to its intersection with the thirty-seventh parallel; and eastward along the thirty-seventh parallel to the point of beginning.

NEVADA.

Nevada, as originally constituted on March 2, 1861, was formed from territory taken from Utah. Its western boundary was made to conform to the eastern boundary of California (*vide* California, p. 129); its northern boundary was, as now, the forty-second parallel; the eastern was the meridian of 39°; and the southern the parallel of 37°. By the enabling act the eastern limit was extended to the thirty-eighth meridian. It was admitted as a State October 31, 1864, with above limits as modified by the enabling act, and in 1866 its eastern limits were still further extended to longitude 37°, and its southern line established as at present, the latter addition having been made from Arizona.

In the act organizing the Territory the boundaries are defined as follows:

> Beginning at the point of intersection of the forty-second degree of north latitude with the thirty-ninth degree of longitude west from Washington; thence running south on the line of said thirty-ninth degree of west longitude until it intersects the northern boundary line of the Territory of New Mexico; thence due west to the dividing ridge separating the waters of Carson Valley from those that flow into the Pacific; thence on said dividing ridge northwardly to the forty-first degree of north latitude; thence due north to the southern boundary of the State of Oregon; thence due east to the place of beginning. (Thirty-sixth Congress, second session.)

The following is the text of that portion of the enabling act relating to boundaries:

> SEC. 2. That the said State of Nevada shall consist of all the territory included within the following boundaries, to wit: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along the said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. (Thirty-eighth Congress, first session.)

The following act makes the addition to its area from Arizona referred to above:

> AN ACT concerning the boundaries of the State of Nevada.
>
> That, as provided for and consented to in the constitution of the State of Nevada, all that territory and tract of land adjoining the present eastern boundary of the State of Nevada, and lying between the thirty-seventh and the forty-second degrees of north latitude and west of the thirty-seventh degree of longitude west of Washington, is hereby added to and made a part of the State of Nevada.
>
> SEC. 2. That there is hereby added to and made a part of the State of Nevada all that extent of territory lying within the following boundaries, to wit: Commencing on the thirty-seventh degree of north latitude at the thirty-seventh degree of longitude west from Washington, and running thence south on said degree of longitude to the middle of the river Colorado of the West; thence down the middle of said river to the eastern boundary of the State of California; thence northwesterly along said boundary of California to the thirty-seventh degree of north latitude; and thence east along said degree of latitude to the point of beginning. (Thirty-ninth Congress, first session.)

The present limits of Nevada are as follows:

The east boundary is the thirty-seventh meridian of longitude, extending from the forty-second parallel of latitude southward to its intersection with the middle of the Colorado River; thence following the mid-channel of the Colorado River down to the point where it intersects the thirty-fifth parallel of latitude; the southwest boundary is the arc of a great circle running from the last-mentioned point and the point of intersection of the one hundred and twentieth degree of longitude west of Greenwich with the thirty-ninth parallel of latitude; the west boundary is the one hundred and twentieth degree of longitude west of Greenwich; the north boundary is the forty-second parallel of latitude.

IDAHO.

The Territory of Idaho was formed March 3, 1863, from parts of Washington, Dakota, and Nebraska. Its original limits, which included, besides the present territory, all of Montana and Wyoming, were given as follows in the act organizing the Territory:

> That all that part of the territory of the United States included within the following limits, to wit: Beginning at a point in the middle channel of the Snake River where the northern boundary of Oregon intersects the same; then follow down said channel of Snake River to a point opposite the mouth of the Kooskooskia, or Clearwater River; thence due north to the forty-ninth parallel of latitude; thence east along said parallel to the twenty-seventh degree of longitude west of Washington; thence south along said degree of longitude to the northern boundary of Colorado Territory; thence west along said boundary to the thirty-third degree of longitude west of Washington; thence north along said degree to the forty-second parallel of latitude; thence west along said parallel to the eastern boundary of the State of Oregon; thence north along said boundary to the place of beginning. (Thirty-seventh Congress, third session.)

From this were formed Montana in 1864 (*vide* Montana, p. 122), and Wyoming (*vide* Wyoming, p. 123), in 1868, thereby reducing this territory, with the small addition made in 1873 (*vide* Montana, p. 122), to its present limits.

The present boundary line of Idaho is as follows: Beginning at the intersection of the thirty-ninth meridian with the boundary line between the United States and the British Possessions, it follows said meridian south until it reaches the summit of the Bitter Root Mountains; thence southeastward along the crest of the Bitter Root range and the continental divide until it intersects the meridian of thirty-four degrees of longitude; thence southward on this meridian to the forty-second parallel of latitude; thence west on this parallel of latitude to its intersection with a meridian drawn through the mouth of the Owyhee River; north on this meridian to the mouth of the Owyhee River; thence down the mid-channel of the Snake River to the mouth of the Clearwater; and thence north on the meridian which passes through the mouth of the Clearwater to the boundary line between the United States and the British Possessions; and east on said boundary line to the place of beginning.

OREGON.

Oregon Territory was organized August 14, 1848. The grounds of our title to its area are obscure. In treating with Great Britain for the establishment of our northern boundary west of the Rocky Mountains this region was claimed on three grounds—that of discovery and occupation, the Louisiana purchase, and cession from Spain. On which of these grounds we succeeded in having the boundary established on the forty-ninth parallel will never be ascertained, and is of little moment.

The Territory as originally established extended from the forty-second to the forty-ninth parallel, and from the Pacific Ocean to the crest of the Rocky Mountains, with boundaries defined in the organizing act, as follows:

> All that part of the territory of the United States which lies west of the summit of the Rocky Mountains, north of the forty-second degree of north latitude, known as the Territory of Oregon, shall be organized into and constitute a temporary government by the name of the Territory of Oregon. (Thirtieth Congress, first session.)

In 1853 the Territory was reduced by the formation of Washington Territory (*vide* Washington, below), and on February 14, 1859, it was admitted as a State with its present boundaries. These are defined below in an extract from the State constitution:

> Beginning one marine league at sea due west from the point where the forty-second parallel of north latitude intersects the same; thence northerly, at the same distance from the line of the coast lying west and opposite the State, including all islands within the jurisdiction of the United States, to a point due west and opposite the middle of the north ship channel of the Columbia River; thence easterly to and up the middle channel of said river, and where it is divided by islands, up the middle of the widest channel thereof, and in like manner up the middle of the main channel of Snake River to the mouth of the Owyhee River; thence due south to the parallel of latitude forty-two degrees north; thence west along said parallel to the place of beginning, including jurisdiction in civil and criminal cases upon the Columbia River and Snake River concurrently with States and Territories of which those rivers form a boundary in common with this State. But the Congress of the United States, in providing for the admission of this State into the Union, may make the said northern boundary conform to the act creating the Territory of Washington.

WASHINGTON TERRITORY.

This was organized March 2, 1853, from a part of Oregon Territory. Its limits, as originally constituted, were as given in the following clause from the act of Congress creating it:

> That from and after the passage of this act, all that portion of Oregon Territory lying and being south of the forty-ninth degree of north latitude, and north of the middle of the main channel of the Columbia River from its mouth to where the forty-sixth degree of north latitude crosses said river, near Fort Walla Walla, thence with said forty-sixth degree of latitude to the summit of the Rocky Mountains, be organ-

ized into and constitute a temporary government by the name of the Territory of Washington. (Thirty-second Congress, second session.)

In 1859, on the formation of the State of Oregon, the residue of the Territory of Oregon, being the portion lying east of the present limits of the State, extending thence to the crest of the Rocky Mountains, was added to Washington. This area, with the part of Washington lying east of its present limits, was included in Idaho on the formation of that Territory in 1863.

The present boundaries of Washington Territory are as follows: Beginning on the coast at the mouth of the Columbia River; following up the main channel of the Columbia River to its point of intersection with the forty-sixth parallel of latitude; thence east on the forty-sixth parallel to the Snake River; thence down the main channel of the Snake River to the mouth of the Clearwater; thence north on the meridian which passes through the mouth of the Clearwater to the boundary line between the United States and the British possessions; thence west with that boundary line to the Pacific.

CALIFORNIA.

California was admitted to the Union on September 9, 1850. Its area was taken from territory acquired from Mexico by the treaty of Guadelupe-Hidalgo. Its limits, as defined in the State constitution, are as follows:

Commencing at the point of intersection of forty-second degree of north latitude with the one hundred and twentieth degree of longitude west from Greenwich, and running south on the line of said one hundred and twentieth degree of west longitude until it intersects the thirty-ninth degree of north latitude; thence running in a straight line in a southeasterly direction to the river Colorado, at a point where it intersects the thirty-fifth degree of north latitude; thence down the middle of the channel of said river to the boundary line between the United States and Mexico as established by the treaty of May 30, 1848; thence running west and along said boundary line to the Pacific Ocean, and extending therein three English miles; thence running in a northwesterly direction, and following the direction of the Pacific coast, to the forty-second degree of north latitude; thence on the line of said forty-second degree of north latitude to the place of beginning. Also all the islands, harbors, and bays along and adjacent to the Pacific coast.

INDEX.

Page.

Acadia, Charter of 23
Additions to the territory of the United States 19
Alabama 102
- Admission of 103
- and Florida, Boundary between 101
- and Georgia, Boundary between 100
- and Mississippi, Boundary between 103
- and Tennessee, Boundary between 105
- Formation of Territory of 20, 102
- Limits of Territory of 102

Alaska 22
- Cost of 22
- Limits of 23

Arizona Territory 135
- Formation of 22, 135
- Original limits of 135
- Present limits of 135

Arkansas 106
- Admission of State of 20, 107
- Formation of Territory of 20
- Limits of Territory of 106
- Statement of boundaries of 107
- Western boundary of Territory of 108

Borden survey, Positions of points in boundaries of Massachusetts 64
Boston Corner, Cession by Massachusetts to New York of 68
Boundary lines of the States 22
Butterfield, F. G 5
California 129
- Admission of 21, 129
- Limits of 129

Carolina, Division of Province of 96
- First charter of 93
- Second charter of 93

Cession, Act of, by Connecticut 26
- Georgia 27
- North Carolina 26
- South Carolina 25
- Deed of, by Massachusetts 25
  - New York 25
  - Virginia 25

Cessions by States 24
- Deeds of 25

Colorado 123
- Admission of 22, 123
- Formation of Territory of 123
- Limits of 123

Commissioners under sixth art. Treaty of Ghent, Decision of 13
Connecticut 66
- Act of cession by 26
- Boundary with Massachusetts 58

Connecticut—Continued.
- Boundary with Rhode Island 69
- Boundary with New York 67
- Charter of 67
- Grant of, by Plymouth Council 68
- Survey of boundary with Massachusetts, east of the Connecticut River 61
- Survey of boundary with Massachusetts, west of the Connecticut River 59
- Survey of boundary with Rhode Island 68
- Survey of western boundary of 68
- Western boundary of 67

Crozat, Grant by France to 19
Dakota 121
- and Nebraska, Redefinition of part of boundary between 120
- Formation of Territory of 21, 121
- Original limits of 121
- Present limits of 121

Delaware 80
- and New Jersey, Boundary between 77
- and Pennsylvania, Boundary between 79
- Boundaries of, with Maryland 81
- Deed of, to William Penn 81
- Sale of, to William Penn 72
- Southern boundary of 82
- Western boundary of 82

District of Columbia 85
- Act of cession from Maryland 85
- Act of cession from Virginia 86
- Act of Congress locating seat of Government 86
- Act retroceding part of, to Virginia 86
- Division into two counties 87
- Proclamation of President defining limits of 87
- Supplementary act in regard to seat of Government 87

Fairfax estate 89
Fairfax stone 88, 90
Florida 101
- Admission of 101
- and Alabama, boundary between 101
- and Georgia, boundary between 99
- and Georgia, report of commissioners on boundary between 100
- Formation of Territory of 101

Florida purchase 21
Gadsden purchase 23
Georgia 97

Page.

Georgia—Continued.
  Act of cession by 37
  and Alabama, boundary between 100
  and Florida, boundary between 99
  and Florida, report of commissioners on boundary between 100
  and North Carolina, boundary between 93
  and South Carolina, agreement between, regarding boundary 97
  and Tennessee, boundary between 99
  Boundaries of, as stated in constitution 98
  Cession of land to, by the United States 96
  Cession of land to the United States 98
  Charter of 97
Germany, award of the Emperor of 18
Ghent, Treaty of 11
Gorges, Sir Ferdinando, and Capt. John Mason, charter to 38
Great Britain, Convention of 1818 with 14
  Decree of King of, in relation to boundary between Massachusetts and Rhode Island 49
  Definitive treaty of peace of 1783 with 10
  Provisional treaty of peace of 1782 with 9
  Treaty of 1846 with 18
  Webster-Ashburton treaty with 15
Guadalupe Hidalgo, Treaty of 22
Idaho Territory 33, 137
  Formation of 33, 137
  Original limits of 137
  Present limits of 137
  Reduction of original territory of 137
Illinois 113
  Admission of 29, 113
  Formation of Territory of 29, 113
  Limits of 113
Indiana 111
  Admission of 29, 112
  Formation of Territory of 28, 31, 112
  Limits of 112
Iowa 117
  Admission of 31, 117
  Definition of eastern boundary of 117
  Formation of Territory of 29, 117
  Original limits of State of 118
  Present limits of State of 118
Kansas 119
  Admission of 119
  Formation of Territory of 31, 119
  Limits of the Territory of 119
  Present limits of 119
Kentucky 90
  Admission of 30, 110
  and Virginia, boundary between 90
  Genesis of 109
  Northwestern boundary of 110
  Southern boundary of 91
  Western boundary of 110
Laconia 38
Letter of Transmittal 5

Page.

London, Treaty of 19
Louisiana 104
  Additions to State of 105
  Admission of State of 30
  Cost of 20
  Definition of, by M. Barbé Marbois 20
  Extent of 19
  Original boundaries of State of 104
  Purchase 19
  Subdivision of 30
  Transfer from Spain to France of, in 1800 19
  Treaty of cession of 20
Maine 33
  Admission of 35
  Eastern boundary of 9, 35
  Northern boundary of 9, 35
  Report of commissioners on western boundary of 35
  Resurvey of western boundary of, in 1858 38
  Resurvey of western boundary of, in 1874 40
  Sale of province of 34
  Protest of, against award of King of the Netherlands 16
  Western boundary of 35
Marbois, Definition of limits of Louisiana by 20
Maryland 82
  Act of cession of part of District of Columbia 85
  and Pennsylvania, Boundary between 79
  and Virginia, Boundary between 83
  and Virginia, Report of arbitrators on boundary between, in 1877 84
  and Virginia, Report of commission of 1668 to adjust boundary between 83
  Boundaries with Delaware 81
  Grant of the Province of, to Lord Baltimore 82
Mason and Dixon's line 79
  Resurvey of, by Colonel Graham 80
Mason, Capt. John, and Sir Ferdinando Gorges 33
  Grant to, in 1629 40
  Grant to, in 1635 41
  Robert, Royal decree to 41
Massachusetts 47
  Boundary line with Connecticut 59
  Boundary line with Rhode Island 48
  Conventional line with Rhode Island 56
  Deed of cession by 25
  Northern boundary of 48
  Survey of boundary of, with Connecticut, east of the Connecticut River 61
  Survey of boundary line of, with Connecticut, west of the Connecticut River 59
  Survey of boundary with Rhode Island, under decree of the king 52
  Western boundary of 62

	Page.
Massachusetts Bay, Charter of, in 1629	43
Charter of province of	34
Massachusetts boundaries, Latitude and longitude of points in	68
Mexican cession by treaty of Guadalupe Hidalgo	28
Michigan	113
Admission of	30, 114
Divisions of Territory of	30
Extension of limits of	114
Formation of Territory of	113, 28
Present limits of	114
Minnesota	118
Admission of	31, 119
Formation of Territory of	118, 31
Limits of Territory of	118
Present limits of	119
Mississippi	108
Admission of	109
and Alabama, Boundary between	108
and Tennessee, Boundary between	108
Boundaries of	108
Enlargement of Territory of	109
Formation of Territory of	30, 108
Missouri	116
Admission of	30, 116
Extension of boundary of	116
Formation of Territory of	30
Original boundaries of	116
Present limits of	117
Montana Territory	122
Change in limits of	122
formation of	32
organization of	122
original limits of	122
present boundaries of	122
Nebraska	120
Addition to	121
Admission of	120
and Dakota, Redefinition of part of boundary between	120
Formation of Territory of	31, 120
Original limits of State of	120
Original limits of Territory of	120
Netherlands, Award of the King of	15
Nevada	125
Additions to its territory of	126
Admission of	31, 126
Formation of Territory of	31, 125
Original limits of Territory of	125
Present limits of	126
New England, Charter of	47
New Hampshire	40
Claims of, west of Connecticut River	43
Decree of the king regarding western boundary of	44
Eastern boundary of	35
Northern boundary of	9, 35, 44
Resurvey of eastern boundary in 1828	38
Resurvey of eastern boundary in 1874	40
Southern boundary of	41
Southern boundary of, Decision by the king	42
Survey of southern boundary of	42
Western boundary of	35
New Jersey	73
and Delaware, Boundary between	73
and New York, Act of Congress settling territorial limits between	73
and New York, Survey of boundary between	73
Grant of Territory by Duke of York to Lord John Berkeley and Sir George Carteret	76
Sale of, to Lord John Berkeley and Sir George Carteret	72
Western boundary of	77
New Mexico	133
Formation of Territory of	31, 133
Original limits of	134
Present limits of	134
New York	71
and Connecticut, Report of commissioners on boundary between	70
and New Jersey, Act of Congress settling territorial limits between	73
and New Jersey, Boundary between	73
and New Jersey, Survey of boundary between	73
and Pennsylvania, Boundary between	74
and Pennsylvania, Determination of errors in position of boundary between	75
and Pennsylvania, Report of commissioners on boundary between	75
Boundary with Connecticut	67
Boundary with Massachusetts	68
Cession of territory to, by Vermont	47
Deed of cession to United States, by	25
Determination of longitude of western boundary of	76
Eastern boundary of	46
Grant of, to Duke of York	71, 72
Northern boundary of	10, 12
Occupation of, by the Dutch	71
Survey of boundary of, with Connecticut	66
Western boundary of	75
North Carolina	92
Act of cession by	28
and Georgia, Boundary between	96
and South Carolina, Boundary between	95
and Tennessee, Boundary between	95
and Virginia, Boundary between	91, 94
Definition of boundaries of, in constitution of 1776	93
History of boundaries from Geological Report of North Carolina	94
Northern boundary of	94
Statement of boundaries of, in Revised Statutes	94
Western boundary of, from constitution of Tennessee	96
Northeastern boundary of United States	10
Ohio	110
Admission of	110
Formation of State of	29

Page.
Ohio—Continued.
  Original limits of — 110
  Present boundaries of — 110
Oregon — 128
  Admission of — 31, 128
  Formation of Territory of — 31, 128
  Original limits of — 128
  Present limits of — 128
  Reduction of Territory of — 128
Orleans Territory, Formation of — 30
  Limits of — 104
Patent to Earl of Stirling — 55
Pemaquid, Annexation of, to New England Government — 72, 34
Pennsylvania — 78
  and Delaware, Boundary between — 79
  and Maryland, Boundary between — 79
  and New York, Boundary between — 74
  and New York, Determination of errors in position of boundary between — 76
  and New York, Report of commissioners on boundary between — 75
  and Virginia, Boundary between — 80
  Grant to William Penn of the Province of — 78
  Occupation of, by British West India Company — 78
Plymouth Company, Charter of — 53
Providence Plantation, Patent of — 65
Public domain — 24
Quintipartite deed — 78
Rhode Island — 65
  Boundary line with Massachusetts — 63
  Conventional line with Massachusetts — 58
  Northern line of — 60
  Survey of boundary of, with Massachusetts under decree of the king — 59
  Survey of northern boundary of — 64
  Survey of western boundary of — 66
  Western boundary — 65
  and Providence Plantations, Charter of — 65
Rocky Mountains, Boundary west of — 14
  Boundary west of, as claimed by Great Britain — 15
  Boundary west of, as claimed by United States — 15
Russia, Treaty of 1867 with — 28
San Ildefonso, Treaty of — 19
South Carolina — 96
  and Georgia, Agreement between, regarding Georgia boundary — 97
  and Georgia, Boundary between — 94, 98.
  and North Carolina, Boundary between — 93
  cession of Western lands by — 26
Spain, Treaty of 1795, with — 10
  Treaty with, ceding the Floridas — 21
  defining Southwestern boundary — 21
States, Cessions by — 24
Stirling, Patent to Earl of — 55
Table of contents — 7

Page.
Tennessee, Admission of — 29, 102
  and Alabama, Boundary between — 103
  and Georgia, Boundary between — 99
  and Kentucky, Boundary between — 91
  and Mississippi, Boundary between — 103
  and North Carolina, Boundary between — 95
  and Virginia, Boundary between — 91
  East boundary of, from Constitution of 1796 — 98
  South boundary of — 100
  West boundary of — 102
Territory northwest of the River Ohio, Area of — 27
  Northwest of the River Ohio, Bill for its provisional division — 28
  South of the River Ohio — 27
  South of the River Ohio, Composition of — 29
Texas — 105
  Admission of — 31
  Act of Congress defining northern boundary of — 105
  Extension of eastern boundary of — 105
  Original limits of — 31, 105
  Present boundaries of — 106
  Sale of part of, to United States — 105
United States, additions to the territory of the — 19
  Boundaries of the — 9
  Boundary with Mexico, under the treaty of Guadalupe Hidalgo — 23
Utah Territory — 124
  Formation of — 31, 124
  Original limits of — 124
  Present limits of — 124
Vermont — 45
  Admission of — 45
  Cession of territory to New York — 47
  Claims of Massachusetts to territory of — 45
  Claims of New York to territory of — 45
  Declaration of Independence of — 45
  Eastern boundary of — 44, 46
  Northern boundary of — 16, 46
  Southern boundary of — 42, 46
  Western boundary of — 46
Virginia — 83
  Act of cession of part of District of Columbia — 85
  Act of Congress retroceding part of District of Columbia to — 85
  and Kentucky, Boundary between — 90
  and Maryland, Boundary between — 83
  and Maryland, Report of arbitrators on boundary between, in 1877 — 84
  and Maryland, Report of commissioners of 1668 to adjust boundary between — 83
  and North Carolina, Boundary between — 91, 94
  and Pennsylvania, Boundary between — 80
  and Tennessee, Boundary between — 91
    Cession of western lands by — 25

Page.

Virginia—Continued.
  Difficulties regarding Fairfax estate — [illegible]
  Division of, into Virginia and West Virginia — [illegible]
  Extract from constitution of 1776 — [illegible]
  First charter of — [illegible], [illegible]
  Reduction of territory of, by charters of other colonies — [illegible]
  Second charter of — [illegible]
  Third charter of — [illegible]
Walker line, between Virginia and North Carolina — [illegible]
Washington Territory — [illegible]
  Additions to territory of — [illegible]
  Formation of — [illegible], [illegible]
  Original limits of — [illegible]
  Present boundaries of — [illegible]
  Reduction of territory of — [illegible]
Watkins Point, definition of — [illegible]

Page.

Western Reserve — [illegible]
West Virginia — [illegible]
  Boundary with Kentucky — [illegible]
  Boundary with Maryland — [illegible]
  Boundary with Ohio — [illegible]
  Boundary with Pennsylvania — [illegible]
  Boundary with Virginia — [illegible]
  Counties comprised in — 12
  Formation of — [illegible]
Wisconsin — 114
  Admission of — [illegible], 116
  Divisions of territory of — [illegible]
  Formation of Territory of — [illegible]
  Limits of territory of — 115
  Organization of Territory of — 114
  Present limits of — 115
Wyoming Territory — [illegible]
  Formation of — [illegible], [illegible]
  Limits of territory of — [illegible]
York, Duke of. Grant to — [illegible]

o